

COPY OF SCHEME for the management of THE LEAMY ENDOWMENTS,
County Limerick, provisionally approved by the Lord Lieutenant in
Council on the 26th day of October, 1893. Presented to the House of
Commons, in pursuance of the Educational Endowments (Ireland) Act, 1885.

Privy Council Office,
Dublin Castle,
10th January, 1894

W. S. B. KAYE.
Clerk of the Council.

(Presented pursuant to Act.)

*Ordered, by The House of Commons, to be Printed,
12th January, 1894.*

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90, West Nile-street, Glasgow.

Memo.

The objections in this matter came before a Committee of the Privy Council on the 23rd and 24th October, 1893, and Counsel having been heard on behalf of the objectors, and also in support of the Scheme, the Lord Chancellor announced that the Committee would recommend the Lord Lieutenant in Council to provisionally approve of the Scheme as framed by the Commissioners.

W. S. B. KAYE,
Privy Council Office,
Dublin Castle.

The Educational Endowments (Ireland) Act, 1885.

In the matter of the Scheme framed under the Educational Endowments (Ireland) Act, 1885, for the future government and management of the **Leamy Endowments, Limerick.**

To the Right Hon. ROBERT OFFLEY ASHURTON, BARON HOUGHTON,
The Lord Lieutenant in Council.

The HUMBLE PETITION of the GOVERNORS of LEAMY'S
FREE SCHOOL in LIMERICK.

SHewETH :

That your Petitioners are the Governing Body of Leamy's Free School in Limerick to which the aforesaid Scheme relates.

That the Judicial Commissioners under the Educational Endowments (Ireland) Act, 1885, on or about the 31st day of July, 1893, prepared and signed an Amended Scheme for the future government and management of the Leamy Endowments, Limerick, and submitted the same for the approval of the Lord Lieutenant in Council.

That by an order dated the 26th day of October, 1893, the Lord Lieutenant in Council provisionally approved of the aforesaid Scheme, and on the 27th day of October, 1893, the Lord Lieutenant in Council published a notice that the said Scheme had been provisionally approved of by him, and that unless within two months from the said 27th day of October, 1893, a petition were presented to the Lord Lieutenant in Council praying that the said Scheme might be laid before Parliament, said Scheme might be finally approved by an order in Council without being laid before Parliament.

That your Petitioners object to the said Scheme so provisionally approved of as being unfair to the Protestants of Limerick, and as having injuriously superseded the Schemes settled by the Court of Chancery in accordance with the spirit of the founder's intention on the 19th day of November, 1842, and 4th day of July, 1874, respectively, under which the said Leamy's Free School has hitherto been, and now is efficiently carried on, and as having completely ignored the declaration of the Lord Lieutenant in Council, dated the 24th day of August, 1892, with which the original Scheme settled by said Commissioners was remitted to them.

Your Petitioners pray that the Scheme so provisionally approved may be laid before Parliament in conformity with the Educational Endowments (Ireland) Act, 1885.

And your Petitioners will ever pray.

Dated December 18th, 1893.

THOS. BUNBURY, Chairman, Dean of Limerick.
F. C. HAMILTON, Archdeacon of Limerick.
WILLIAM VANDERKISTE.
ROBERT MAUNSELL, Lt.-Colonel.
CLARINA, General.

This Petition is filed on behalf of the Governors of Leamy's School by Wm. M. Beauchamp, Solicitor, 5, Foster-place, Dublin, at whose office notices and papers relating to same may be served on Petitioners.

The Educational Endowments (Ireland) Act, 1885.

PROVISIONAL ORDERS IN COUNCIL.

(48 and 49 Vict., cap. 78.)

SCHEMES FOR:—

- No. 95. County of Limerick—The Leamy Endowments.
- No. 117. County of the Town of Drogheda—The Leigh Charity.
- No. 119. Counties, Various—The Endowments of and belonging to the Presbytery of Cavan.
- No. 127. Counties, Various—The Parochial Schools of the Diocese of Ossory.
- No. 137. Counties, Various—The Endowments of and belonging to the Presbytery of Comber.
- No. 142. Counties, Various—City of Cork, and Dioceses of Cork, Cloyne, and Ross (Amending Scheme).
- No. 152. County of Antrim—The Ballintoy Parochial School.
- No. 158. County of Dublin—The Dublin Protestant Reformatory Schools.
- No. 174. Counties, Various—The Parochial Schools of the Diocese of Armagh (Amending Scheme).
- No. 185. Counties, Various—The Endowments of and belonging to the Presbytery of Dublin (Amending Scheme).
- No. 187. Counties, Various—The Robertson Endowments and other Endowments in the Diocese of Raphoe (Amending Scheme).
- No. 104. County of Down—The Sullivan Schools, Holywood (Amending Scheme).
- No. 201. County of Antrim—The Brown Street Sunday and Daily Schools, Belfast.

NOTICE.

Notice is hereby given, that the Lord Lieutenant in Council, by Orders dated the 26th day of October, 1893, provisionally approved, pursuant to the 24th Section of the said Act, of the above-mentioned Schemes, respectively.

Any one of the said Schemes may be finally approved, unless within two months after the first publication of this Notice a Petition is presented to the Lord Lieutenant in Council praying that the same may be laid before Parliament, as provided by the 24th Section of the above cited Act.

The first publication of this Notice is the 27th day of October, 1893.

W. S. B. KAYE.

PRIVY COUNCIL OFFICE, DUBLIN CASTLE,
26th October, 1893.

48 & 49 Vic., c. 78.

EDUCATIONAL ENDOWMENTS (IRELAND) ACT, 1885.

No. 95.

County and City of Limerick.

Date of Provisional Approval—26th October, 1893.

PROVISIONAL APPROVAL BY ORDER IN COUNCIL.

The Leamy Endowments, Limerick.

By the Lord Lieutenant and Privy Council in Ireland.

HOUGHTON.

Whereas the Right Honorable Gerald FitzGibbon and the Right Honorable William O'Brien, the Judicial Commissioners constituted under the Educational Endowments (Ireland) Act, 1885, have, in virtue of the powers conferred upon them by the said Act, and of every other power enabling them in that behalf, framed and signed under their hands a Scheme relating to the Leamy Endowments, Limerick, which Scheme is annexed to this Order :

And whereas all the conditions in regard to the said Scheme, which are required to be fulfilled by the said Act to enable the said Scheme to be provisionally approved, have been fulfilled :

Now therefore, We, the Lord Lieutenant-General and General Governor of Ireland, by and with the advice and consent of Her Majesty's Privy Council in Ireland, do by this Order, pursuant to the 24th section of the said Act, declare provisionally our approbation of the aforesaid Scheme, and the same is hereby provisionally approved.

Given at the Council Chamber, Dublin Castle, this
26th day of October, 1893.

S. WALKER, C.
MACDERMOT, A.-G.
C. T. REDINGTON.

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

SCHEME framed under the Educational Endowments (Ireland) Act, 1885, for the future government and management of The Leamy Endowments, Limerick.

Whereas William Leamy of the City of Limerick, deceased, by his Will dated in the year 1814, bequeathed the residue of his property to his Executors, to be by them applied to the Education of the Poor in Ireland, principally those in and about Limerick City, or as his Executors in their better judgment should deem meet to give his bequest the most extensive efficacy :

And whereas the Executors under the said Will did not act, and the real and personal property of the said Testator was administered in the Court of Chancery, and the residue thereof applicable for the purposes aforesaid was realised and lodged in the said Court, and on June 10, 1842, a Scheme was approved by the Lord Chancellor of Ireland for the administration of the Trusts affecting the said residue ; and it was by the said Scheme directed that premises capable of being converted into a School should be purchased or rented on a long lease ; that in the said School the English language, reading, writing, and arithmetic should be taught ; that, if the funds of the Charity should permit, the Governors appointed by the said Scheme, and their successors, should have power, from time to time, to provide for a more extensive system of education, subject to the approval of the Lord Chancellor ; that part of the daily instruction should consist in reading the Holy Scriptures, without note or comment, and for that purpose the scholars should, during an hour each day, be placed in two separate rooms, the Protestants in one room and the Roman Catholics in another, and that while there the Protestants should read the Holy Scriptures without any restriction, and the Roman Catholics should read such portions of the Holy Scriptures as were contained in four small volumes, supplied by authority under the title of " Scripture Lessons," and read in the National Schools :

And whereas, in accordance with the provisions of the said Scheme, the Governors acquired the site in the City of Limerick which is described in the First Schedule hereto, and erected thereon, at a cost of £3,940, School buildings intended to accommodate four hundred pupils, and in the year 1844 a School was established therein, under the name of Leamy's Free School ; and the said School was carried on for upwards of twenty years, but the attendance of pupils was always small, and the School was ultimately closed, and remained closed for several years before 1874 :

And whereas, by a further Scheme approved by the Lord Chancellor of Ireland on July 4, 1874, provision was made for re-opening the said School, and for the payment of salaries and capitation fees to the teachers in the said School ; and it was also provided that, in addition to the subjects of instruction mentioned in the former Scheme, instruction should be given in the School in Elementary Drawing, the Elements of Chemistry, the Elements of Mechanics, the Elements of Natural Science as applied to the Arts, French, and other subjects to fit boys for employment in trading, mercantile and manufacturing pursuits :

And whereas the said School was re-opened soon after the date of the last mentioned Scheme, and has since continued in operation, and has been maintained at the expense of the funds of the Charity, but the said School has been and is attended almost exclusively by Protestant pupils, chiefly of the middle class, and the total number of pupils has not at any time exceeded one hundred or thereabouts, and the funds of the Charity have not been and are not wholly applied to the Education of the Poor, as directed by the Founder of the Charity :

And whereas the property applicable for the purposes aforesaid, besides the School premises described in the First Schedule hereto, is now represented by the property, funds, and securities described in the Second Schedule hereto :

And whereas the above-mentioned School premises and other property applicable to the purposes aforesaid, now constitute Educational Endowments within the meaning of the Educational Endowments (Ireland) Act, 1885, and the said Act applies to the same :

And whereas it has appeared to the Commissioners under the said Act, after due inquiry, that in order to extend the usefulness of the said Endowments, provision should be made for the future government and management thereof, in manner hereinafter appearing :

Therefore, from and after the date of this Scheme, being the day upon which the Lord Lieutenant shall by Order in Council declare his approbation hereof, the said Endowments shall be held, governed, managed, and applied for the purposes, with the powers, under the conditions and provisions, and in the manner hereinafter set forth, and not otherwise, any previous Act of Parliament, Letters Patent, Statute, Charter, Scheme, Order, Deed, Instrument, Trust, or Direction, relating to the subject-matter of this Scheme, to the contrary notwithstanding.

Preliminary.

1. For the purposes of this Scheme, unless the context otherwise requires, the following terms shall be interpreted as follows: *Interpretation of Terms.*

"The Act" shall mean the Educational Endowments (Ireland) Act, 1885.

"The Commissioners" shall mean the Commissioners of Education in Ireland, incorporated under the Act, 53 Geo. III., cap. 107, as duly constituted for the time being.

"The School Premises" shall mean the site, buildings, and premises described in the First Schedule hereto, situate at Hartstonge Street, in the City of Limerick, and known by the name of Leamy's Free School, and all the estate and interest therein now held in trust for the purposes of the said School.

"The Endowments" shall mean and include all the School premises property, funds, and securities described in the First and Second Schedules hereto, and all other the property, real and personal, at the date of this Scheme vested in or held by the existing Governors of Leamy's Free School, or by the Accountant-General of the High Court of Justice in Ireland, or by any other person or persons, upon or for the educational and charitable trusts or purposes declared by the hereinbefore recited Will of William Leamy, or by the hereinbefore recited Chancery Schemes, with respect to the residue of the property of the said Testator.

"The Protestant Board" shall mean the Leamy Protestant Board of Education, Limerick, hereby incorporated for the administration of the Protestant share of the Endowments.

"The Roman Catholic Board" shall mean the Leamy Roman Catholic Board of Education, Limerick, hereby incorporated for the administration of the Roman Catholic share of the Endowments.

"Elementary Education" shall mean such education as may be given in the Schools aided by grants from the Commissioners of National Education in Ireland, herein referred to as "National Schools."

"Technical Education" shall mean and include all technical instruction and manual instruction within the meaning of the Technical Instruction Act, 1889, and all other theoretical and practical instruction and training which may directly tend to prepare young persons for any industry, trade, handicraft, or mercantile manufacturing or commercial employment.

"Intermediate Education" shall mean education in such subjects as may be included in the Programme of Examinations held by the Intermediate Education Board for Ireland.

The Boards of Education.

Incorporation and Designation of Boards.

2. From and after the date of this Scheme a Protestant Board and a Roman Catholic Board shall be formed for the administration of the Protestant and Roman Catholic shares respectively of the Endowments. The said Boards shall be designated, respectively, "The Leamy Protestant Board of Education, Limerick," and "The Leamy Roman Catholic Board of Education, Limerick," and shall be constituted as hereinafter provided.

Each of the said Boards shall constitute a Body Corporate, with perpetual succession and a common seal, and power to acquire and hold property, real and personal, for the purposes of this Scheme.

The Protestant Board.

The Protestant Board.

3. The Protestant Board shall consist of the *ex-officio* members and the co-opted members hereinafter mentioned.

The *ex-officio* members shall be the Bishop of Limerick, the Dean of Limerick, and the Archdeacon of Limerick, duly appointed in accordance with the constitution of the Church formerly established by law, and referred to in the Irish Church Act, 1869, as the Church of Ireland; and the Minister, or the senior Minister, if there be more than one, of each and every other Protestant denomination having a fixed place of public worship in the City of Limerick, and having not less than five pupils upon the roll of any School managed maintained or aided by the Protestant Board, under the provisions of this Scheme; all for the time being.

There shall be five co-opted members, each of whom shall be a Protestant layman, and shall be resident in the City of Limerick, or within five miles from the nearest boundary of the said City.

The first co-opted members shall be such and so many of the Protestant members of the existing Governing Body of Leamy's Free School, as at the date of this Scheme shall be qualified, able, and willing to act as members of the Protestant Board. If the number of such members shall exceed five, no vacancy shall be filled until the number shall be reduced below five. If the number shall be less than five, the members of the Protestant Board present at a meeting to be duly convened and held within three months after the date of this Scheme, shall co-opt so many qualified persons as will raise the number of the co-opted members to five.

The Roman Catholic Board.

The Roman Catholic Board.

4. The Roman Catholic Board shall consist of the *ex-officio* members and the co-opted members hereinafter mentioned.

The *ex-officio* members shall be the Roman Catholic Bishop of Limerick, the Roman Catholic Parish Priest or Administrator of the Parish of St. Michael, Limerick, the Roman Catholic Parish Priest or Administrator of the Parish of St. John, Limerick, and the Roman Catholic Parish Priest or Administrator of the Parish of St. Munchin, Limerick; all for the time being.

There shall be three co-opted members, each of whom shall be a Roman Catholic layman, and shall be resident in the City of Limerick, or within five miles from the nearest boundary of the said City.

The first co-opted members shall be such and so many of the following persons as at the date of this Scheme shall be qualified, able, and willing to act as members of the Roman Catholic Board:—

1. James O'Shaughnessy, Esq., M.D., Limerick.
2. James Quin, Esq., Limerick.
3. Alderman Jerome Counihan, Limerick.

Vacancies among Co-opted Members.

5. If at the date of this Scheme any of the first co-opted members above mentioned shall not be qualified or shall be unable or unwilling to act, and whenever thereafter any co-opted member of the Protestant Board or of the Roman Catholic Board, respectively, shall die, or resign by writing under his hand, or become bankrupt, or refuse to act, or become incapable of acting, or shall cease to be qualified as hereinbefore provided, or shall fail to attend at the least one-fourth of the meetings of the Board held in any one year, his office shall thereupon become vacant, and the fact of the vacancy, with the cause thereof, shall be recorded in the minutes of the Board upon which the vacancy shall occur; and, as soon as conveniently may be after the occurrence of each vacancy, the remaining members of the said Board shall co-opt a qualified person to fill the same. Vacancies.

Vesting and Transfer of the Endowments.

6. From and after the date of this Scheme, the Endowments, and all other property, real or personal, belonging to or held in trust for the purposes of this Scheme, or any of them, with all powers, rights, and remedies for the recovery thereof (except such parts of the Endowments as may be then standing in the name of the Accountant-General of the High Court of Justice in Ireland), shall, without any new conveyance or instrument, become and be vested in the Commissioners, and shall thenceforth be held by them and their successors for ever, upon and for the trusts and purposes of this Scheme; subject to the conditions and provisions herein contained, and to all or any rents, charges, rights, tenancies, easements, or liabilities at the date of this Scheme lawfully affecting the same. From and after the date of this Scheme, all rents, recharges, dividends, interest, and other income, due or accruing, and all other property, real and personal, held by any person or persons (other than the said Accountant-General), in trust for or applicable to all or any of the purposes of this Scheme (except as aforesaid) shall, without any new conveyance or instrument, be delivered, transferred, and paid by the person or persons possessed thereof, or bound to pay the same, to the Commissioners; and the receipt of the Commissioners for any delivery, transfer, or payment hereby directed, shall be a good discharge for the person or persons making the same, and he or they shall not be answerable for the application thereof. Vesting and Transfer of the Endowments.

From and after the date of this Scheme, all such parts of the Endowments as shall be then standing in the name of the Accountant-General of the High Court of Justice in Ireland shall, subject to the orders of the said High Court, be held for the purposes of this Scheme, and the dividends, interest, and income thereof, subject as aforesaid, shall be payable to the Commissioners, who shall in the first instance pay thereout all proper and necessary outgoings and expenses payable by them in respect of the Endowments, and shall pay the residue of the said income to the Protestant Board and the Roman Catholic Board in the shares hereinafter specified, to be applied by the said Boards respectively as hereby directed.

At any time after the date of this Scheme, the Commissioners may apply to the High Court of Justice in Ireland for an order that the said Accountant-General shall transfer or pay to the Commissioners all or any parts of the Endowments which shall be then standing in the name of the said Accountant-General, and may accept a transfer thereof accordingly. From and after such transfer, the Commissioners shall hold the portions of the Endowments so transferred to them, after payment of the necessary expenses of the transfer, upon the trusts and for the purposes hereinafter mentioned, and the Endowments, and the interest, dividends, and income thereof, shall thenceforth be paid and applied by the Commissioners upon the trusts and for the purposes, and in accordance with the conditions and provisions, of this Scheme. From and after such transfer, the hereinbefore recited Chancery Schemes, and all or any other Orders of the said High Court theretofore affecting the Endowments, so far as the same may be superseded by or inconsistent with the provisions of this Scheme, shall cease to have effect.

*Provisions as to the School Premises.*The School
Premises.

7. For the period of six calendar months after the date of this Scheme, but not afterwards, the Protestant Board may continue to hold, use, and occupy the School Premises, and the income of the Endowments may continue to be applied for the purposes of Leamy's Free School, by the Protestant Board, upon the same terms and in the same manner as the existing Governing Body of Leamy's Free School might have held, used, and occupied, and applied the same respectively, if this Scheme had not passed. Within the said period of six months, but not afterwards, the Roman Catholic Board may, by writing, elect to become tenants to the Commissioners of the School Premises, subject to the conditions and upon the terms that the said Board shall at all times during the tenancy keep the said premises in tenantable order and repair, and shall pay all rates and taxes and cost of insurance for the same, and that the said premises shall be used for the purposes of a School for the education of the Poor of Limerick, to be managed and maintained or aided by the said Board in accordance with the provisions of this Scheme. If the Roman Catholic Board shall elect to take the said premises as aforesaid, the Commissioners, upon the expiration of the said period of six months, shall take up the possession of the School Premises, and shall transfer the possession thereof to the Roman Catholic Board, who shall thenceforth be entitled to hold the same, free of rent, as tenants to the Commissioners, so long as they shall observe and fulfil the terms and conditions aforesaid. If the Roman Catholic Board shall take the School Premises as aforesaid, and shall afterwards, at any time, cease to observe and fulfil the terms and conditions aforesaid, or if, at any time, in the judgment of the Commissioners, pronounced after such inquiry as they shall deem sufficient, the School carried on therein shall not be efficiently conducted as a School for the education of the Poor of Limerick, in accordance with the provisions of this Scheme, or if the daily average attendance of pupils at the said School shall, for two consecutive years, fall below two hundred, or if the said Board shall not elect to take the School premises as aforesaid, or shall at any time surrender the said premises, the Commissioners shall thereupon take up the possession of the said premises, and shall thereupon and thenceforth sell or let the said premises to the best advantage, and shall receive and apply the proceeds thereof as part of the Roman Catholic share of the Endowments, to be administered in accordance with the provisions of this Scheme.

Proceeds of Sale or
Letting.

8. If the Roman Catholic Board shall not elect to take the School Premises as hereinbefore provided, or if the Commissioners shall afterwards take up the possession of the said premises from the said Board, and if the Commissioners shall sell or let the same as hereinbefore provided, the Commissioners shall from time to time pay the net income, arising from the proceeds of such sale or letting, after all proper and necessary outgoings, to the said Board, to be by them and their successors held and applied in accordance with the provisions of this Scheme; and all or any part of the net capital of such proceeds, after all proper and necessary outgoings, may, with the sanction of the Commissioners, be expended and applied by the Roman Catholic Board as a Building Fund, subject to the like conditions as are hereinafter prescribed with respect to the Building Fund hereinafter provided for the Protestant Board.

*Grant of Capital and Building Fund to Protestant Board.*The Protestant
Board.

9. From and after the date of this Scheme a sum of Government Stock, portion of the capital of the Endowments, equivalent at the price of the day to Two Thousand Pounds, and the income thereof, as from the date of this Scheme, shall be set apart and held by the Commissioners upon trust for the Protestant Board, and the Protestant Board, at any time and from time to time after the said sum shall have been so set apart, may require the Commissioners to take any proceedings necessary to obtain a transfer or payment of the said sum, if not already in their hands, and to pay or transfer the same, out of the capital of the Endowments, to the Protestant Board, to be by them and their successors held and applied in accordance with the provisions of this Scheme. The Protestant Board, with the

sanction of the Commissioners, may, from time to time, or at any time, expend any part or parts of the capital sum set apart for or paid or transferred to them as aforesaid, not exceeding in all One Thousand Pounds, as a Building Fund for the purposes of a School to be conducted in accordance with the provisions of this Scheme, in acquiring a site, or in acquiring or erecting buildings, or in enlarging or improving any existing buildings, or in providing suitable residences for the teachers employed by the said Board, or in providing School furniture or appliances, so as to enable the said Board, from and after the expiration of the period of six calendar months from the date of this Scheme, to continue to carry on a School in accordance with the provisions hereof. All such expenditure shall be made upon premises in the City of Limerick, or its neighbourhood, permanently vested in the Protestant Board or in some other corporate body, or in Trustees or Lessees duly appointed in accordance with the Rules and Regulations of the Commissioners of National Education relating to Vested National Schools, and all such expenditure shall be accounted for by the Protestant Board. Subject to any expenditure made as aforesaid, the residue of the above-mentioned capital sum, and all income thereof, shall be paid to or received by the Protestant Board, and applied for the purposes of the said Board as herein provided.

Apportionment of Income.

10. From and after the setting apart transfer payment and application of the sums hereinbefore mentioned, and in the meantime subject thereto, the Commissioners, after payment of all proper and necessary outgoings and expenses payable by them in respect of the Endowments, including the payments to the existing Teachers of Leamy's Free School hereinafter mentioned, and any rent payable for the School Premises, shall half-yearly pay the net annual income and produce of the residue of the Endowments (other than the proceeds of any sale or letting of the School premises) to the Protestant Board and the Roman Catholic Board respectively in the proportions following, that is to say, one equal fourth part thereof to the Protestant Board and three equal fourth parts thereof to the Roman Catholic Board, to be by the said Boards respectively applied in the manner and subject to the conditions herein prescribed, and the proceeds of any sale or letting of the School Premises shall be applied for the purposes of the Roman Catholic Board as hereinbefore provided, in addition to the three equal fourth parts of the net income aforesaid.

Annual Grants.

Trusts of the Endowments.

11. From and after the date of this Scheme, and subject to the conditions and provisions herein contained, the Endowments shall be held upon trust for the promotion of the Education of the Poor in the City of Limerick and its neighbourhood, including Elementary Education and instruction in such extra or optional subjects taught in National Schools, together with such branches of Technical and Intermediate Education, as the several Boards shall, from time to time, consider best suited to the wants and capacities of the Protestant Poor and the Roman Catholic Poor of Limerick respectively.

Trusts of the Endowments

Application of the Endowments.

12. Subject to the other provisions of this Scheme, the Protestant Board and the Roman Catholic Board, respectively, shall apply all moneys received by them out of the Endowments, for the benefit of one or more Schools available for the Elementary, Technical, or Intermediate Education of poor pupils in the City of Limerick or its neighbourhood, for the following purposes, or for such and so many of them as the Board shall from time to time deem expedient:—

Application of the Endowments.

(a.) To maintain the buildings, furniture, appliances, and premises, of the School or Schools which each Board shall manage maintain or aid under this Scheme, in good order and condition, and to make such additions thereto, and such improvements therein, as may be required from time to time.

(b.) To pay any rents, other than the rents of the existing School Premises payable by the Commissioners, and all taxes, cost of insurance, and other charges necessarily or properly payable out of or for the premises of such School or Schools as aforesaid, and to defray the necessary working expenses and the cost of management.

(c.) To employ and pay such teachers as the Board may deem it expedient to engage for the instruction of the pupils in such School or Schools as aforesaid; also to supplement the salaries or emoluments of any teachers or monitors who may be entitled to any salary or emolument from the Commissioners of National Education, or from any other source.

(d.) To provide, from time to time, as far as the Endowments will allow special teachers for such School or Schools as aforesaid, in subjects of Technical or Intermediate Education and home industries, more especially in such subjects as practical agriculture, handicraft, and the use of tools for boys; cookery, various kinds of needlework, laundry work, and dressmaking for girls. For the purpose of giving Technical or Intermediate Instruction, each Board may make arrangements by which teachers employed by them may also visit other Schools, on stated days at fixed hours, and may give instruction to the pupils thereof, upon such terms as to contributing to the payment of the said teachers and otherwise, as the Board shall think fit.

(e.) To provide prizes for the most deserving pupils of such School or Schools as aforesaid. These prizes may be awarded in money, or in remission of School fees, or in such other manner as the Board may deem best calculated to stimulate the industry or to promote the progress of the pupils, and they may be so given as to enable and encourage deserving and capable pupils, who require such assistance, to continue their education longer than they could otherwise do, or to obtain special or more advanced education.

(f.) To defray any other expenses incurred in carrying out the purposes of this Scheme.

Additional Endowments.

Donations and Subscriptions.

13. Each of the Boards may collect, receive, acquire, and hold donations, subscriptions, devises, bequests, and other additional endowments, real and personal, and may apply the same for the purposes of this Scheme. They may also collect, receive, acquire, and hold donations, subscriptions, devises, bequests, and other endowments, real or personal, and may apply the same for any object connected with the purposes of this Scheme which shall not be inconsistent with, or calculated to impede the efficient working of the provisions hereof. All properties and moneys so received or applied shall be included in the accounts to be kept by the respective Boards under this Scheme. Each of the Boards, from time to time, if it shall think fit, may provide for the representation upon the Board of Subscribers to the funds of the Board, and for the election of additional members of the Board by such Subscribers, in such manner and subject to such conditions as the Board may from time to time think expedient.

Aid from Public Sources.

14. Each of the Boards may make all arrangements from time to time necessary to enable them to obtain from the Intermediate Education Board, from the Commissioners of National Education, from the Science and Art Department, from the Commissioners of Public Works, from any local authority, or from any other public body, or under any Statute, any aid, by way of teachers salaries, results fees, prizes, grants or loans for building or other purposes, or provision for Technical or other special Education, which may at any time be available for any School receiving benefit from the Endowments; and, notwithstanding anything herein contained, they may place any such School, or any of the classes or pupils thereof, in connection with or under the inspection of any such public body as aforesaid, and they may comply with any rules or regulations, as to additional Governors or otherwise, for the time being in force respecting schools classes or pupils receiving such

aid. All money and other aid which either Board may so receive shall, subject to such rules and regulations, be applied by them in conformity with the provisions of this Scheme, and shall be accounted for accordingly.

15. Each of the Boards may from time to time authorise the charge of such school fees for instruction in the School or Schools maintained or aided by them as they may think reasonable, provided that, so far as the Endowments will allow, the Boards shall permit poor pupils resident in or near the City of Limerick to receive Education in such School or Schools as aforesaid, at reduced fees or free of charge, if the Board be satisfied that they are unable to pay the ordinary fees. School Fees.

General Provisions as to the Boards of Education.

16. The Protestant Bishop of Limerick shall be ex-officio the Chairman of the Protestant Board, and the Roman Catholic Bishop of Limerick shall be ex-officio the Chairman of the Roman Catholic Board. Each Board shall appoint a Vice-Chairman at their first meeting after the date of this Scheme, and at their first meeting in each calendar year thereafter. Each Vice-Chairman so elected shall hold office until the election of his successor, and shall be eligible for re-election. The Chairman shall preside at every meeting of the Board at which he is present; in the absence of the Chairman, the Vice-Chairman shall preside; and in the absence of both, the members present shall elect one of their number to act as Chairman for the occasion. Three members shall constitute a quorum of each Board, and all matters and questions shall be determined by the majority of the members present; in every case of equality of votes the Chairman of the meeting shall have a second or casting vote. Each Board may from time to time appoint an Honorary Secretary and such other Honorary Officers as they shall think fit, and may define the duties of such Honorary Officers. Chairman, Quorum, and Honorary Officers.

17. Each Board shall hold its first meeting within two calendar months after the date of this Scheme, at a time and place to be fixed by requisition of a majority of the members for the time being, and shall meet once at the least in every three months thereafter, at a time and place in the City of Limerick to be appointed by the Board, and may also meet at such other times and places as may from time to time be appointed by the Board. Notice of every meeting shall be given to each member three clear days, or such other time as the Board may direct, before the meeting. The Chairman, Vice-Chairman, or any three other members of either Board, may at any time summon a special meeting of the Board, giving notice to each member six clear days, or such other time as the Board may direct, before the meeting, and specifying in the notice the object thereof. Every meeting may adjourn for the completion of its business to such time and place as the members present may appoint. Meetings.

18. Every member of each Board shall, at or before the first meeting which he attends, sign a declaration, in a book to be kept for the purpose, of his acceptance of the office of member, and until he has signed such declaration he shall not be entitled to act as a member. Minute books shall be kept by each Board in which minutes of all its proceedings shall be duly entered. All deeds and other writings of either Board, sealed with the common seal, and signed at any meeting by the Chairman of the meeting and two other Members, shall be held to be validly executed on the part of the Board. Minutes, Books, and Documents.

19. Each Board may from time to time make such by-laws and regulations as it shall consider convenient and needful for giving effect to the purposes of this Scheme, provided that such by-laws and regulations shall not be inconsistent with the provisions of this Scheme, and that the same may be repealed, altered, and amended by the Board as it shall deem expedient. By-laws and Regulations.

20. Each Board shall cause to be kept a regular account of all its receipts and disbursements, in such manner and form as may, from time to time, be directed. Accounts and Audit.

time, be prescribed or approved by the Local Government Board; and the accounts for each year, ending the thirty-first day of December or such other day as the Local Government Board may direct, or an abstract thereof, in such form as the Local Government Board shall prescribe or approve, shall be submitted for audit on or before the first day of March following, or such other day as the Local Government Board may appoint, to an auditor of the Local Government Board, or to some other competent authority appointed or approved by the Local Government Board. The Local Government Board may fix, and each Board shall pay, such reasonable sum or sums as shall be necessary to defray the cost of audit. Each Board shall keep an account with such Bank as it shall from time to time select, and all moneys receivable or payable by either Board (except petty cash), shall be lodged to or drawn from such account, and every cheque shall be signed by two members at the least thereto authorized.

Inspection.

21. If and whenever an Inspector shall be appointed by the Lord Lieutenant, under the Act, Section 17, he shall inspect the Schools sharing in the Endowments, and shall present his report thereon to the Lord Lieutenant, once at the least in each year, and as much oftener as the Lord Lieutenant may direct; and the remuneration of such Inspector, as fixed by the Lord Lieutenant, shall be defrayed by the Board as the Lord Lieutenant may direct. Unless and until the Lord Lieutenant shall appoint an Inspector of the Schools sharing in the Endowments, any Inspector from time to time appointed by the Commissioners of National Education to inspect any of the said Schools which may be a National School, shall be deemed to be an Inspector appointed by the Lord Lieutenant under the Act; and the reports of every such Inspector shall be presented by the Board to the Lord Lieutenant, but no such Inspector shall be entitled as such to any remuneration in addition to the remuneration which he may be otherwise entitled to receive.

Committees.

22. Each Board may from time to time appoint a Committee or Committees, each consisting of two or more members of the Board, to carry into execution any orders rules or directions of the Board with respect to the purposes of this Scheme, or to manage such business as the Board may deem it expedient to depute to a Committee. The Board appointing each Committee may fix the quorum, define the duties, and regulate the proceedings of the Committee, as it shall think fit.

Management of Property.

Management Sale, Letting, and Investments.

23. Each Board shall, from time to time, make such arrangements as it may deem expedient for the custody of the common seal, and of all deeds and documents belonging to the Board, for the management of the property vested in it, and for the employment of such officers as it shall find it necessary to employ. Each Board, with the consent of the Commissioners, may sell, exchange, let for any term, mortgage, or otherwise dispose of, all or any lands or buildings which may be vested in it, so that every such dealing shall be carried out to the best advantage, and that all money obtained thereon, other than current rents, shall be treated as part of the capital of the Endowments, and shall be vested or otherwise disposed of in accordance with the provisions hereof. The Commissioners and each Board may from time to time invest the capital of the Endowments belonging to or vested in them respectively, and any moneys arising from any sale, or received for equality of exchange of land or buildings, and also any residue of income not required in any year for the purposes of this Scheme, and also any subscriptions or other moneys received under this Scheme, in any of the public stocks, funds, or securities of the United Kingdom, or of any Colony or Dependency thereof; or in the stock of the Bank of England or of the Bank of Ireland; or upon freehold or leasehold securities, or in the purchase of perpetual rents or rentcharges, in the United Kingdom; or upon the debentures or mortgages of any municipal, commercial, or other Joint Stock Company or Corporation, carrying on business or constituted for any purpose in the United Kingdom, or in any Colony or Dependency thereof; or in any securities sanctioned by law, or by the practice of the High Court of Justice,

for the investment of trust funds. The Commissioners and each Board, respectively, may from time to time vary such investments, and may have recourse in any year to the accumulations of income of any previous year or years, and may retain in their existing state of investment, so long as they shall think fit, all or any securities which may from time to time be received by them for the purposes of this Scheme, if the retention of such securities does not involve any liability capable of affecting their other property.

Provision as to the Existing Teachers.

24. For the period of six calendar months from and after the date of this Scheme, each of the Teachers of Leamy's Free School, named in the Third Schedule hereto, who shall continue to be employed in the said School, or by the Protestant Board, shall continue to be entitled to receive the same salary and emoluments out of the Endowments, which were payable to him or her out of the Endowments at the date of the passing of the Act, provided he or she shall continue to discharge, for the Protestant Board, the same duties which he or she would have been bound to perform for the existing Governing Body of Leamy's Free School if this Scheme had not passed, or like duties. From and after the expiration of the period aforesaid, if and so long as any of the said Teachers shall be employed by the Protestant Board in a School managed maintained or aided by the said Board in accordance with the provisions of this Scheme, the said Board shall be entitled to receive from the Commissioners, out of the income of the Endowments, towards payment of the salary of each such Teacher while so employed, a sum equal in amount to one-thirtieth part of the amount of the salary payable to him or her out of the Endowments at the date of the passing of the Act, for each completed year during which he or she shall have held his or her office at the date of this Scheme, calculated according to the date and amount stated in the Third Schedule hereto. If at any time after the date of this Scheme, any of the said Teachers shall cease or fail to be employed by the Protestant Board in a School managed maintained or aided by the said Board in accordance with the provisions of this Scheme, from any cause other than voluntary resignation or removal for incompetence misconduct or wilful neglect, he or she, upon such discontinuance of his or her employment, shall be entitled to receive from the Commissioners, by way of compensation for his or her vested interest, out of the capital of the Endowments, the amount of One Year's Salary at the rate stated in the Third Schedule hereto, for each completed period of seven years during which he or she shall have held his or her office at the date of such discontinuance of his or her employment, such payments to be calculated according to the several and respective dates and amounts stated in the Third Schedule hereto.

Allowances to
existing Teachers.

Payment of Expenses.

25. The Commissioners, the Protestant Board, and the Roman Catholic Board, respectively, shall, subject to the other provisions of this Scheme, pay out of the Endowments all charges, which, under the provisions of the Act, shall be properly and necessarily payable by the Commissioners and by the said Boards respectively, for the taxed costs and expenses of this Scheme, or for audit and inspection, or for other purposes.

Payment of
Expenses.

Discharge of existing Trustees.

26. Immediately after the passing of this Scheme, the existing Governors under the hereinbefore recited Chancery Schemes shall proceed to pay and discharge, out of the moneys in their hands, all the salaries, outgoings, and liabilities due or payable by them up to the date of this Scheme, including their costs of and incident to the preparation of this Scheme (such costs, if any, to be taxed and certified by the proper officer of the High Court of Justice in Ireland), and shall prepare a final account of all their receipts and disbursements, dating from the last annual account submitted to the High Court of Justice in Ireland, and shall submit the same for audit to the Local Government

Discharge of
Existing Trustees.

Board, or to such competent authority as the said Board shall approve. Upon such audit the net cash balances remaining in the hands of the said Governors, or of their agents, treasurers or bankers, or of any other person on their account, shall be ascertained and certified, and thereupon the same and all securities held by the said Governors shall forthwith be paid or transferred to the Commissioners, to be by them held and applied for the purposes of this Scheme and accounted for accordingly. The said Governors and all or any other persons having custody thereof, shall at the same time deliver to the Commissioners all books, documents, and other chattels and effects belonging to or held by them as or for such Governors, who shall thereupon be discharged. All rents, debts, and other sums, then accruing or payable to or recoverable by the said Governors, shall thereupon and thenceforth accrue and become payable to and recoverable by the Commissioners, and all contracts and liabilities then binding upon the said Governors, shall thereupon and thenceforth, to the same extent and out of the same funds, become binding upon the Commissioners. The said Governors shall not be bound or required to submit for audit to the High Court of Justice in Ireland any account which shall have been duly audited under this Scheme.

Printing of Scheme.

Printing of
Scheme.

27. The Commissioners shall cause this Scheme to be printed, or shall procure printed copies thereof, and shall keep the same for sale at a reasonable price.

Accounts of the Commissioners of Education.

Accounts of
Commissioners.

28. The Commissioners shall keep separate accounts of the Endowments held or received by them for the purposes of this Scheme, and shall and may exercise, with respect to the said Endowments, the same or like powers of investment and management which they may exercise with respect to the Royal School Endowments vested in them.

Alteration of Scheme.

Alteration of
Scheme.

29. This Scheme may be altered from time to time by the Commissioners of Charitable Donations and Bequests for Ireland, in any matter whatsoever, upon the application of the Commissioners, or upon the joint application of the Protestant Board and the Roman Catholic Board; or, in any matter relating exclusively to the administration of any portion of the Endowments allotted to either Board, upon the application of the Board concerned; but except upon such application no alteration shall be so made, and no alteration shall be made contrary to anything contained in the Act.

SCHEDULES REFERRED TO IN THE FOREGOING SCHEME.

FIRST SCHEDULE.

The School Premises.

1. The Plot of Land with the School-house and other Buildings thereon situate at Hartstonge Street, in the City of Limerick, known by the name of Leamy's Free School.

2. All fixtures, furniture, chattels, and effects, in and belonging to the said School at the date of this Scheme.

SECOND SCHEDULE.

Moneys, Funds, and Securities comprised in the Endowments.

1. A sum of £10,413 3s. 8d., Government Stock, now standing in the Books of the Governor and Company of the Bank of Ireland, in the name of the Accountant-General of the High Court of Justice in Ireland, to the credit of the matter of the Right Hon. Attorney-General v. Francis Alex. Fitzgerald.

2. All such sums of stock or cash as, at the date of this Scheme, may be in the hands of the said Accountant-General, and standing to the credit of the same matter.

3. All interest and dividends due and accruing upon the said sum of stock at the date of this Scheme.

4. All or any other moneys, funds, or securities belonging to the Endowments, or held by the existing Trustees of Leamy's Free School at the date of this Scheme.

THIRD SCHEDULE—EXISTING TEACHERS.

<i>Name.</i>	<i>Office held at the date of the passing of the Act.</i>	<i>Annual Salary at date of the Act.</i>	<i>Date of Appointment.</i>
PART I.		£ s. d.	
William Wilson Mercer, . . .	Head Master, . . .	100 0 0	July 16, 1854.
Samuel Moore, . . .	Assistant Master, . . .	40 0 0	February 4, 1855.
Miss Mary Mercer, . . .	Head Mistress, . . .	50 0 0	January 7, 1859.
Miss Margaret Harrold, . . .	Assistant Mistress, . . .	26 0 0	August 7, 1875.
Miss Elizabeth Croston, . . .	Do, . . .	15 0 0	April 1, 1882.

We, the Judicial Commissioners constituted under the Educational Endowments (Ireland) Act, 1888, having duly prepared the foregoing Scheme, hereby submit the same for the approval of the Lord Lieutenant in Council under the said Act, duly signed by both of us under our hands, this Thirty-first day of July, 1893.

GERALD FITZGIBBON, } *Judicial*
WILLIAM O'BRIEN, } *Commissioners.*

Witness:

FREDK. REDMOND,

Acting-Secretary.

Educational Endowments (Ireland) Act, 1885.

SCHEME No. 95.—THE LEAMY ENDOWMENT.

LEAMY'S SCHOOL ENDOWMENT, LIMERICK.

Additional Objections and Observations.

OBJECTIONS of the BOARD of GOVERNORS to the AMENDED SCHEME and to the OBSERVATIONS of the JUDICIAL COMMISSIONERS thereon.

The Board of Governors of Leamy's School, Limerick, having considered the "Amended Scheme," and "the Observations of the Judicial Commissioners upon the Amended Scheme" are still of opinion that their objections to former schemes have not been met. They regard the "Amended Scheme" as being more unfavourable to them and as lending more weight to their objections than any of the schemes that have preceded it. Under the Amended Scheme it is proposed to eject the present Governors and the Schools from the premises which were specially built for the purpose of carrying out the intentions of the founder. The existing arrangement of an undenominational educational institution under a mixed board has had the sanction of two Lord Chancellors of Ireland as carrying out the intentions of the founder, and has been in operation over fifty years. The Privy Council on the hearing of the appeal of the Board of Governors against the recent Scheme expressed the opinion that if the Scheme of the Judicial Commissioners against which they appealed were carried into effect, "the School which is now being carried on under the aforesaid Scheme (viz.—the Scheme settled by the Court of Chancery), would be put an end to."

Under the "Amended Scheme" it is proposed to oust the present Board of Governors and the Schools carried on under the Scheme of the Court of Chancery from the buildings which have been erected to carry out the trust of Leamy's will and to commemorate his name. Instead of undenominational Schools under a mixed board it is proposed instead to hand over the building and two-thirds of the endowment to a newly-created denominational School, entirely under Roman Catholic management.

The observations of the Judicial Commissioners to the effect that since the re-opening of the School under the Chancery Scheme of 1874 "the School has been attended almost exclusively by Protestant pupils" is erroneous and misleading. They have omitted to state what has been constantly pressed upon their attention by the Board that though the Roman Catholics attending the School have always been fewer in number than the Protestants, yet they formed by no means an insignificant minority. And also it is not stated that it was in consequence of an order issued in 1885 by the authorities of the Roman Catholic Church in Limerick that so many Roman Catholic pupils were withdrawn, as to reduce the average attendance from 159, in June, 1885, to 91, the September following.

The Board of Governors maintain that the School, as at present conducted, is carrying out the wishes of the founder, and are quite prepared to adopt any suggestion for its further development consistent with the wishes of the founder, and in accordance with the Scheme of the Court of Chancery under which they act. They regard the

declaration of the Privy Council, dated August 24th, 1892, as approving of the "School which is now being carried on," pursuant to the Scheme of the Court of Chancery. The Board of Governors respectfully submit and request, that this declaration of the Privy Council should be adhered to and maintained; and they protest against an undenominational endowment and establishment being broken up, to be replaced by a system of education and separate establishments admittedly and intentionally made denominational in the fullest sense of the word.

Notices and papers may be served on the Governors of Leamy's School, at the office of their Solicitor, Mr. Wm. M. Bessechamp, 5, Foster Place, Dublin.

THOS. DUNBURY, B.D., Chairman.

JAMES DOWD, Secretary.

Board Room,
Leamy's School,
27th September, 1893.

FURTHER OBSERVATIONS OF THE JUDICIAL COMMISSIONERS,

Upon the foregoing Objections of the Board of Governors of Leamy's Free School.

The Objections of the Board of Governors of Leamy's Free School to the Amended Scheme signed on July 31, 1893, were not sent to the Judicial Commissioners until this day, and were therefore not noticed in the Observations already submitted by them to the Lord Lieutenant.

There is little or nothing in these Objections which has not been already dealt with in the Observations upon the Objections to the Original Scheme, and upon the Objection of the Limerick Diocesan Council to the Amended Scheme. But it is to be remarked that when the existing School is described as having been "in operation over fifty years," the fact is overlooked that it wholly failed, and was closed for several years, under the Chancery Scheme of 1842, and that since its re-opening under the Chancery Scheme of 1874, it has never been, in any ordinary sense or to any substantial degree, a School for the Education of the Poor. Even when it was first established as an Elementary Free School for poor pupils, the proportion of Roman Catholic pupils in attendance, in the year 1844, is stated by the Governors, in their Objection to the Original Scheme, to have formed only twenty-five per cent. of the whole number of scholars, and since the re-opening of the School under the Scheme of 1874, the Roman Catholic pupils have been very few indeed, and the Roman Catholic Governors have taken no part in the management of the School. Having regard to the immense preponderance of Roman Catholics among the Poor of Limerick, who were the objects of the Founder's bounty, the Judicial Commissioners remain of the opinion that the School has never benefited any adequate number or proportion of those for whom it was intended; and the buildings, originally erected to accommodate four hundred pupils, have never been fully used or occupied.

The "undenominational" character which has been impressed upon the School, has practically had the effect of confining its benefits almost entirely to the Protestant denominations, who now desire to perpetuate that character. The Scheme has been framed with the object of fully utilising the existing School buildings, and extending the benefits of the Endowment to all religious denominations, under conditions acceptable to each. The Judicial Commissioners can not see that the disapproval by "the authorities of the Roman Catholic Church" of the present system of management, with the result of excluding the Roman Catholic poor from the School, affords any reason for continuing the present arrangements for the benefit of about one hundred pupils, of whom nearly all are Protestants, and only a small proportion are really poor.

The Judicial Commissioners respectfully direct attention to the evidence and observations appearing in the Reports of the public inquiries held by the Commissioners at Limerick, viz. —

1. October 10, 1887. Report 1887-8, pp. 18-25, 37-9, 40-46.
2. October 25, 1889. Report 1889-90, pp. 12-30.
3. October 17, 1890. Report 1890-1, pp. 24-54.

and particularly to the last inquiry, at which Objections similar to those now put forward were fully discussed.

By Order of the Judicial Commissioners.

N. D. MURPHY,
Secretary.

October 18, 1893.

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

SCHEME No. 95.—THE LEAMY ENDOWMENTS, LIMERICK. (AMENDED SCHEME).

OBJECTIONS AND AMENDMENTS

LODGED with the CLERK of the PRIVY COUNCIL to the above SCHEME, with the OBSERVATIONS of the JUDICIAL COMMISSIONERS thereon.

OBJECTIONS AND AMENDMENTS:

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OBJECTIONS AND AMENDMENTS.

1.—Most Rev. Dr. O'DWYER, Lord Bishop of Limerick.

The Palace, Corbally, Limerick,
24th September, 1893.

SIR,—I beg to object to the following points in the Amended Scheme for the Leamy Endowment, Limerick:—

1st, Par. 7.—That the income of the Endowment may continue to be applied for the purposes of Leamy's Free School by the Protestant Board for the period of six calendar months after the date of this Scheme.

2nd, Par. 9.—That a building fund of £1,000 be given to the Protestant Board, while they are allowed to use only £1,000 in building.

3rd, Par. 24.—That the services of the Teaching Staff be given to the Protestant Board, and partly paid for out of their retiring annuities.

Otherwise I think the Scheme fair and workable, and such as to give the most extensive efficacy to the Endowment.

I have, &c.,

✠ EDWARD THOMAS,
Bishop of Limerick.

To the Clerk of the Privy Council,
Dublin Castle.

2.—THE LIMERICK DIOCESAN COUNCIL.

Limerick Diocesan Office,
67 George Street, Limerick,
29th September, 1893.

To the Clerk of the Privy Council,
Dublin Castle.

DEAR SIR,—I am directed by the Diocesan Council of Limerick to inform you that they barely protest

against the "Amended Scheme" for Leamy's School Endowments, and I am authorised by the Very Rev. the Dean of Limerick to represent them at the hearing of the Appeal by the Privy Council.

I am, &c.,

JAMES DOWD (REV.)

3.—THE PRESENT GOVERNING BODY.

Board Room,
Leamy's School, Limerick,
29th September, 1893.

To the Clerk of the Privy Council,
Dublin Castle.

DEAR SIR,—I am directed by the Board of Governors of Leamy's School, Limerick, to forward the enclosed objections to the "Amended Scheme" for that Endowment.

Faithfully yours,
JAMES DOWD.

OBJECTIONS enclosed with foregoing letter.

"The Board of Governors of Leamy's School have met and considered the Scheme issued by the Educational Endowments Commission for the future management of that foundation. They consider that the Commissioners in their treatment of it have adopted a policy which is unjust, and destructive of an Institution which has for many years done good work under schemes approved by two Lord Chancellors of Ireland."

"Although the facts bearing on this case have been fully brought before the Commission, they do not appear to have received due consideration. The Governors therefore think it right to state them again."

"Mr. William Leamy, a Protestant, bequeathed the residue of his property, in 1814, to Protestant Trustees, to be employed by them for the education of the poor in Ireland, principally those in and about Limerick City; or, as his

executors, in their better judgment, should deem most to give his bequest the most extensive efficacy. The executors did not act, whereupon the estate was administered in the Court of Chancery, and a scheme was drawn up, approved of by the then Lord Chancellor, and in accordance with what was believed at the time to have been the wish of the founder, Leamy's School was thus established in 1845. A course of elementary instruction was laid down, power being granted to extend it, should funds permit, with the approval of the Lord Chancellor, and the scheme provided that part of the daily instruction should consist in reading the Holy Scriptures without note or comment; and for that purpose the scholars should, during an hour each day, be placed in two separate rooms—the Protestants in one room and the Roman Catholics in another, the latter reading such portions of the Holy Scriptures as were read in National Schools under the title of Scripture Lessons.

Both Protestants and Roman Catholics attended the School, and at the close of 1844 the latter formed twenty-five per cent. of the whole number of scholars. In consequence of an order issued in 1865 by the authorities of the Roman Catholic Church in Limerick, so many pupils of that persuasion were withdrawn, that the average attendance, which in June was 130, sank in the September following to 91. The Roman Catholic members of the Board have not since attended a meeting of the Governors. The present Roman Catholic Bishop stated to the Commissioners that he would not tolerate mixed education in any form, and this we believe to be the sole reason for the continued absence of so many Roman Catholic children and the Roman Catholic Governors. The School, whilst strictly conducted in accordance with the scheme of 1842, approved and amended by the scheme of 1874, also sanctioned by the Lord Chancellor of the time, has therefore become for the past few years practically a Protestant School, though as far as the management is concerned, Roman Catholics have the same advantages as ever; and as a matter of fact, a few Roman Catholics still continue to attend the School.

"As it is owing to the recent action of the authorities of the Roman Catholic Church that the School has been made practically Protestant, we do not consider it just for them to come forward now and demand a division of this Endowment in proportion to the relative numbers of Protestants and Roman Catholics, or in any other proportion. Their right (and their only right) under the schemes as interpreting and administering Leamy's Will is to receive all the educational advantages that Leamy's School is able to

give them, and these advantages are as open to them now as ever they were. The Commissioners in dealing with Leamy's School have adopted a method of treating mixed Endowments which has not hitherto been accepted as just, and which leaves these Endowments at the mercy of any discontented party.

"The Governors submit, that inasmuch as the original trusts of Wm. Leamy's Will placed no denominational restrictions upon either the management of the Endowment or the classes to be benefited by it, the Educational Endowments Commissioners as a Commission appointed by Parliament to increase the usefulness of Educational Endowments, were bound to follow the policy adopted by the State in the administration of grants for Elementary Education in Ireland;

"That these State grants are now applied upon an undenominational basis, and that Parliament in its Education Bill of this year has reaffirmed the principle of Undenominational Education.

"That the Commissioners themselves, by a scheme which has been approved by the Privy Council, and is now in force, have in a precisely similar case established a mixed Board to manage a School for all denominations, viz.—in the case of the Endowment founded by Laurence Gibson, at Oldcastle, Co. Meath.

"That the Commissioners, in their recent Draft Scheme dealing in *Reverend Smith's* Endowments, proposed to deal with these Endowments upon the principle for which we are now contending.

"That the Commissioners have deliberately refrained from dealing in the Endowments similar in their character, but which are in R. C. hands, such, for instance, those of the Harvey Endowment at Mullingar, and Desmoy's School at Kells.

"The Board of Governors are of opinion that Leamy's Endowment is being applied substantially as Leamy intended it should, and in accordance with Schemes approved by two Lord Chancellors, and beg respectfully to object to any division of the Endowment. Notices and papers may be served on the Governors of Leamy's School at the office of their solicitor, Mr. Wm. M. Beauchamp, 5 Foster Place, Dublin.

"THOS. BURNETT, B.D., Chairman.

"JAMES DOWD, Secretary.

"Board Room, Leamy's School,
30th June, 1892."

4. MISS MAY MERCER, Head Mistress.

Leamy School, Limerick,
30th September, 1893.

SIR,—I have considered the "Amended Scheme" in so far as it concerns the arrangements made for securing the interests of the teachers at present employed in Leamy School.

As Head Mistress of the Girls' School, I consider them unsatisfactory and in marked contrast to the terms granted to the teachers under the last Scheme.

I have held the post of Head Mistress for nearly fourteen years. During that period the annual average of pupils in the Girls' School never fell below 76, and in 1886 it was up to 110 pupils.

The last years of my life have been given to the School, and I can confidently appeal to the Board of Governors and the parents of the pupils to testify to the excellence of the education, and the attention paid to the moral training of the children.

The applications for free places are always in excess of the number of vacancies.

In the "Amended Scheme" it is proposed to sever my connection with the present Board, and to hand

me over to a new, and, probably, very different Board.

After fourteen years service I am refused any compensation whatsoever, and the terms granted by the last Scheme recalled.

A certain allowance is paid to the new Board towards the payment of my salary whilst in their service, but I am left entirely in the hands of an unknown and untried body, and cannot even resign with the prospect of getting the slight compensation that may be in the power of the new Board to give. This treatment is in emphatic contrast with the desire expressed by both sides in the controversy respecting Leamy School, that neither side would object to granting favourable terms to the teachers.

I most respectfully submit this statement to your notice, and beg your favourable consideration of the subject.

I am, &c.,
MAY MERCER, Head Mistress.

To the Clerk of the Privy Council,
Dublin Castle.

J. W. WILSON MERCER, Head Master.

Leamy School,
20th September, 1893.

MY LORDS AND GENTLEMEN,—I beg permission to lay before you my objections to the Amended Scheme of the Endowed School Commission relating to Leamy School, on the following grounds:—

That the fund to be allocated to the Protestant Board, however serviceable in founding a Girls' Intermediate School, would be altogether inadequate to maintain a Boys' School.

That under the proposed Scheme I should be obliged to serve under a Board practically without Endowment. Surely this is not a compensation for the loss of permanent employment under such a Board as at present exists.

During my service here I have succeeded in raising the School numbers from an average of nineteen to fifty-four. Even now under the depressing influence of a threatened dissolution there are forty on the roll

—a fair number to be taught by two masters in the course laid down by the Chancery Scheme.

When appointed to the Head-Mastership in July, 1884, I made a verbal engagement to remain in the position for a reasonable length of time, and to give every effort to restore the efficiency of the School. Having given the best years of my life to this object, I cannot feel that I have been justly treated, especially as there has been no public expression of dissatisfaction at the compensation clauses of the last Scheme; on the contrary I have received assurances of sympathy from all the parties concerned. Certainly the consideration of my claims as Head Master of one of the best Endowed Day Schools in Ireland contrasts strongly with the treatment of many other Head Masters or even Assistant Masters who have come under the Commission.

I am, &c.,

W. WILSON MERCER,
Head Master, Leamy School.

OBSERVATIONS OF THE JUDICIAL COMMISSIONERS.

In reply to the above Objections, the Judicial Commissioners beg to refer to their Observations submitted to the Lord Lieutenant, on a former occasion, in answer to the Objections lodged with the Clerk of the Privy Council against the Original Scheme, and dated August 6, 1882. They also beg to refer to the Observations prefixed to the Amended Scheme, and dated July 31, 1893. These Observations are addressed to Objections similar to those which are now made, and contain the comments of the Judicial Commissioners upon them. The Observations dated July 31, 1893, set forth, in detail, the principles by which the Judicial Commissioners were guided in framing the Amended Scheme.

They now beg to offer the following brief comments upon certain of the present Objections.

I.—OBJECTIONS of the Most Rev. Dr. O'DWYER.

1. Dr. O'Dwyer objects that the income of the Endowment is, by the Scheme, secured to the Protestant Board for a period of six months from the date of the Scheme.

Answer.—As the Scheme provides that the School, which is now practically a Protestant School, is to be removed to other premises, and there to be continued under the management of the Protestant Board, it seemed to the Commissioners that a period of six months was not an unreasonable time to allow for making the change.

2. Dr. O'Dwyer also objects that "a building fund of £2,000 is given to the Protestant Board, while they are allowed to use only £1,000 in building."

Answer.—This statement is not accurate. It will be seen, from section 9 of the Scheme, that the sum of £2,000 is given as "capital and building fund," and not simply as a building fund. This sum is, in fact, given as an equivalent for the existing buildings, which are given to the Roman Catholic Board, and form part of the Protestant share of the Endowment; but owing to the comparatively small number of Protestant children to be provided for, the Commissioners thought that an expenditure of £1,000 would be sufficient for the purposes of building.

3. Lastly, Dr. O'Dwyer objects "that the service of the Teaching staff are given to the Protestant Board, and partly paid for out of the retiring annuities."

Answer.—The Commissioners are bound under the Act, sec. 11, to save or make compensation for vested interests; and they have tried in their Scheme, sec. 24, to make this compensation with as little loss as possible to educational interests.

The Judicial Commissioners beg to observe that compensation for vested interests depends, in principle, upon the loss of employment; and, in the present case, by continuing to employ the present teachers, the Protestant Board can obtain the benefit of their services, without any loss to the Roman Catholic Board. The Scheme, in effect, prevents the amount payable as compensation from being lost to the Endowments, if the teachers are not deprived of employment, and, in the event of their dismissal, it awards them compensation upon a scale similar to that which was fixed for the Assistant Teachers of the Royal Schools.

II.—OBJECTIONS OF THE PRESENT GOVERNING BODY.

The Objections submitted by the present Governing Body have been already before the Privy Council, and have been dealt with by the Judicial Commissioners in their former Observations, dated August 6, 1892. The Judicial Commissioners will now only repeat that, under their Act, section 13, it was necessary so to frame the Scheme as to carry out the intention of the founder, which was to provide for the Education of the Poor of Limerick. The same section expressly prohibits any Endowment intended for children of the poorer classes from being applied to other objects until the wants of such children are sufficiently provided for. The Judicial Commissioners were convinced, from the past history of the Endowment, that it was impossible to attain this object by means of a mixed Board of Protestants and Roman Catholics. Therefore they felt it necessary to constitute two Boards, one Protestant and one Roman Catholic, as they had done in the case of the Royal Schools and the Swords Borough Schools, with satisfactory results.

They are clearly of opinion that, under the Scheme now objected to, the Protestant Board will be in as good a position to provide for the education of the Protestant poor, as the Roman Catholic Board will be in with respect to the Roman Catholic poor, having regard to the relative proportions of the religious denominations in Limerick. The Roman Catholics are to all other denominations in the proportion of eight to one; and, if regard be had to the poor alone, the proportion is undoubtedly greater.

The Judicial Commissioners also beg to state, in reference to the observations concerning the Erasmus Smith Endowments, that the Draft Scheme relating to those Endowments is in no respect similar to that for the Leamy Endowment, while the nature of the property, and the purposes and circumstances of the Endowments and of the Schools, present no analogy whatever with the present case. Moreover, the Draft Scheme for the Erasmus Smith Endowments has not yet been agreed upon or signed by the Judicial Commissioners, and the objections which have been made to it are still under consideration.

By order of the Judicial Commissioners,

N. D. MURPHY,

Secretary.

23, Nassau Street, Dublin,
October 14, 1893.

The Educational Endowments (Ireland) Act, 1885.

(43 and 49 Vict., cap. 78, sec. 23.)

SCHEMES SUBMITTED FOR THE APPROVAL OF THE LORD LIEUTENANT IN COUNCIL.

- No. 95. County of Limerick—The Leamy Endowments.
- No. 117. County of the Town of Drogheda—The Leigh Charity.
- No. 119. Counties, Various—The Endowments of and belonging to the Presbytery of Cavan.
- No. 127. Counties, Various—The Parochial Schools of the Diocese of Ossory.
- No. 137. Counties, Various—The Endowments of and belonging to the Presbytery of Comber.
- No. 142. Counties, Various—City of Cork, and Dioceses of Cork, Cloyne, and Ross (Amending Scheme).
- No. 153. County of Dublin—The Dublin Protestant Reformatory Schools.
- No. 157. Counties, Various—The Endowments of and belonging to the Presbytery of Letterkenny.
- No. 174. Counties, Various—The Parochial Schools of the Diocese of Armagh (Amending Scheme).
- No. 185. Counties, Various—The Endowments of and belonging to the Presbytery of Dublin (Amending Scheme).
- No. 187. Counties, Various—The Robertson Endowments and other Endowments in the Diocese of Raphoe (Amending Scheme).
- No. 193. County of Dublin—The Church of Ireland Training College, and Kildare Place Society (Amending Scheme).
- No. 194. County of Down—The Sullivan Schools, Holywood (Amending Scheme).
- No. 201. County of Antrim—The Brown Street Sunday and Daily Schools, Belfast.

NOTICE.

Notice is hereby given, that during two months after the first publication of this Notice, the Lord Lieutenant in Council will receive any objections made to him in writing by any Public Body or persons interested respecting any of the above-mentioned Schemes, respectively.

All such objections should be forwarded to the Clerk of the Privy Council, Dublin Castle.

Each Scheme may be seen at the Privy Council Office, Dublin Castle, and Public Bodies or persons interested may obtain a copy on application.

The first publication of this Notice is the 2nd day of August, 1893.

W. S. B. KAYE.

PRIVY COUNCIL OFFICE, DUBLIN CASTLE,

1st August, 1893.

48 & 49 Vic., c. 78.

EDUCATIONAL ENDOWMENTS (IRELAND) ACT, 1885.

*No. 95.**County and City of Limerick.***The Leamy Endowments, Limerick.****OBSERVATIONS OF THE JUDICIAL COMMISSIONERS UPON
THE AMENDED SCHEME.**

"The Leamy Endowments" were founded in 1814 by the Will of William Leamy, "for the Education of the Poor in Ireland, principally those in and about Limerick City." From 1814 to 1844, the property was in litigation, and was not applied to the purposes of the Charity. In 1844, a Primary School was opened in Limerick, under the name of "Leamy's Free School," in Buildings intended to accommodate four hundred pupils of all religious denominations. These Buildings, erected at a cost of nearly £4,000, with a sum of about £10,500 Government Stock, lodged in Chancery, now constitute the Endowments, which have hitherto been administered under two Chancery Schemes respectively dated June 10, 1842, and July 4, 1874, by a Board of Governors appointed by co-option, subject to the approval of the Court, which has from time to time included both Roman Catholics and Protestants. The Scheme of 1842 provided for Elementary Education only, with separate Scriptural Instruction for Roman Catholic and Protestant pupils. The School was carried on under this Scheme for upwards of twenty years, but, chiefly owing to religious differences, the attendance of pupils was always small, very few Roman Catholic pupils attended, and ultimately the School was closed, and so remained until 1874. It was then re-opened under the Scheme of 1874, which provided for more advanced instruction, intended to fit the pupils for employment in trading, mercantile, and manufacturing pursuits. Since its re-opening, the School has been attended almost exclusively by Protestant pupils, the present teachers, with the exception of one assistant, are Protestants, the Roman Catholic Governors have not taken part in its management, and it has practically become an Intermediate School, chiefly for pupils of the middle class. Though there are forty "Free Pupils," who may, more or less correctly, be described as "poor," the Endowments cannot be regarded as being wholly or even mainly devoted to the charitable purpose intended by the Founder. The total number of pupils has hardly, at any time, been more than one-fourth of that for which the buildings were intended, and the number of Roman Catholic pupils has been reduced to four or five. The School is, to a large extent, maintained by the fees paid by the pupils of the better class. The buildings consist of four large school-rooms, with Teachers' apartments, and are suitable in every respect for a large Primary School. In the immediate vicinity there

are great numbers of poor Roman Catholic children, while the Limerick Model School, with accommodation for more than five hundred pupils, is attended by about two hundred pupils, who were described by the Head Master in his evidence before the Commission, as "all middle class Protestants." There are, in the same neighbourhood, Roman Catholic Intermediate Schools, and Parochial and other Primary Schools attended by Protestants, but there is a need, supplied at present by "Leamy's Free School," for a Protestant Intermediate School. Owing to the objections entertained by Roman Catholics to "Mixed Education," there appears to be no prospect of making "Leamy's Free School," as at present constituted, available for the instruction of pupils of that denomination, who form the great majority of those for whom it was originally intended, and who include, in Limerick, a very large number of poor children at present without adequate school accommodation.

Under these circumstances, the Judicial Commissioners framed the Original Scheme, submitted to the Lord Lieutenant on April 29, 1892, upon the principle of dividing the Leamy Endowments, forming separate Boards for the administration of the Roman Catholic and Protestant shares, giving the Protestant Board the option of retaining the existing School premises or accepting £2,000 as an equivalent, with £2,000 more in either case as an Endowment, and giving the residue to the Roman Catholic Board. When giving the option of retaining the present Buildings to the Protestant Board, the Commissioners did not regard such retention as the more prudent or economical alternative, but they gave the option in deference to the desire of a majority of the existing Governors to continue the School in its present situation. The Scheme contained provisions for making the benefits of the Endowments more fully available for the education of the Poor, and also for the retirement of the existing teachers, upon compensation to be provided out of the Endowments.

This original Scheme was remitted to the Commissioners, on August 24, 1892, with the following Declaration of the Privy Council:—

"That while it may be desirable to make provisions for continuing to carry on the School established under the Scheme settled by the Court of Chancery with greater efficiency as a mixed School, including among such provisions (if the Commissioners think fit) a power to sell the present buildings, and to acquire other premises more suitable for educational requirements, the School which is now being carried on pursuant to the aforesaid Scheme would be put an end to, if the present Scheme were approved of."

The Judicial Commissioners have considered this Declaration, with an anxious desire to frame an amended Scheme thereupon, under which effect could be given to the charitable purpose of the Founder. They are satisfied, upon the evidence which has been taken by them, and to which they refer, that there is no probability of carrying on the existing School with greater efficiency than at present as a mixed School, nor any possibility of fully utilising the existing Buildings for the purposes of a School conducted under the Scheme settled by the Court of Chancery. The Declaration as to a sale of these premises appears to recognise that they are not suitable for the requirements of the existing School. The requirements of an Intermediate School for Protestant pupils, such as is required in Limerick, would be better met by smaller and more suitable premises, but the existing Buildings are in every respect suitable for a Primary School for a large number of poor pupils, such as are now to be found among the Roman Catholics in the neighbourhood. The Judicial Commissioners have not felt themselves justified in providing for the sale of these premises, having regard to the Educational Endowments (Ireland) Act, 1885, section 13, which provides:—

"That when the founder of any educational endowment has expressly provided for the education of children belonging to the poorer classes . . . such endowment . . . shall continue, so far as requisite, to be applied for the benefit of such children."

The existing Buildings are a valuable part of the Endowments, and it is submitted that it would not be consistent with this provision of the Act to sell these Buildings, which are suitable and required for the education of poor children, for the purpose of applying the proceeds for the support of a School attended mainly by pupils of a better class, and almost exclusively of Protestant denominations.

At the same time, the Judicial Commissioners are satisfied that an Intermediate School, under Protestant management, could afford valuable means of education, much needed in Limerick, not only to pupils of the better class, but also to poor Protestant children of capacity to receive advanced instruction. It would appear to be quite feasible to maintain such a School in suitable buildings, with the aid of fees paid by pupils of the better class, supplemented by a portion of the Endowments, and subject to provisions for the free admission of deserving and capable pupils who would fairly come, as poor children, within the charitable intentions of the Founder, and might be selected from the Elementary Schools of the locality.

With the view of attaining the desired objects as far as possible, consistently with the Act of Parliament and the Founder's intentions, the Judicial Commissioners have prepared an Amended Scheme upon the following basis. It is proposed to transfer the existing buildings to the Roman Catholic Board, to be used for a Primary School for the Poor. In order to enable the Protestant Board to maintain a School similar to that now being carried on, it is proposed to allocate £2,000 to that Board, in the first instance, as an equivalent for the existing Buildings, enabling them to expend £1,000, out of that sum, in acquiring suitable School premises; also to enable them to retain the services of the existing Teachers, with a subvention towards their payment at the rate of one-thirtieth of the present salaries for each year of service; and also to postpone the operation of the Scheme upon the existing School for six months after it comes into force. Subject to these provisions, and to the payment of compensation, at the rate of one year's salary for every seven years of service, to any of the existing Teachers named in the Third Schedule to the Scheme, whose employment may be determined for any other cause than voluntary resignation or default, the residue of the Endowments will be divided in the proportion of three-fourths to the Roman Catholic Board, and one-fourth to the Protestant Board, and both Boards will be subject to provisions intended to make the benefits of the Endowments available for poor pupils.

By this arrangement, about two-thirds of the whole Endowment would be directly applied to the education of the Roman Catholic Poor, while the remainder would be available to maintain a School for the higher education of Protestant pupils, in which the advantages of superior instruction would be secured to those children whose means were insufficient to obtain them otherwise. There are many instances in Ireland, appearing in the evidence taken by the Commission, of Intermediate Schools efficiently maintained under less favourable circumstances, and with smaller Endowments. The principle of dividing Endowments intended for all denominations, in preference to attempting to administer them under a system of "Mixed Education," has been adopted in previous Schemes prepared by the Commission, approved by the Lord Lieutenant, and now in efficient and useful operation.

July 31, 1893.

GERALD FITZGIBBON,
WILLIAM O'BRIEN.

Office of the Commission,
23, Nassau Street, Dublin.

48 & 49 Vic., c. 78.

EDUCATIONAL ENDOWMENTS (IRELAND) ACT, 1885.

No. 95.

County and City of Limerick.

The Leamy Endowments, Limerick.

First published by Commission, August 4, 1890.

Signed by Judicial Commissioners, April 29, 1892.

Remitted with a Declaration, August 24, 1892.

Amended Scheme signed by Judicial Commissioners, July 31, 1893.

The Amended Scheme hereto annexed, prepared in pursuance of the Educational Endowments (Ireland) Act, 1885, was submitted for the approval of the Lord Lieutenant in Council on the Thirty-first day of July, 1893.

N. D. MURPHY,
Secretary.

Office of the Commission,
23, Nassau Street, Dublin.

SCHEME REFERRED TO IN THE FOREGOING ORDER.

No. 95.

County and City of **LIMERICK.****EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.**

SCHEME framed under the Educational Endowments (Ireland) Act, 1885, for the future government and management of
The Leamy Endowments, Limerick.

Whereas William Leamy of the City of Limerick, deceased, by his Will dated in the year 1814, bequeathed the residue of his property to his Executors, to be by them applied to the Education of the Poor in Ireland, principally those in and about Limerick City, or as his Executors in their better judgment should deem meet to give his bequest the most extensive efficacy :

And whereas the Executors under the said Will did not act, and the real and personal property of the said Testator was administered in the Court of Chancery, and the residue thereof applicable for the purposes aforesaid was realised and lodged in the said Court, and on June 10, 1842, a Scheme was approved by the Lord Chancellor of Ireland for the administration of the Trusts affecting the said residue ; and it was by the said Scheme directed that premises capable of being converted into a School should be purchased or rented on a long lease ; that in the said School the English language, reading, writing, and arithmetic should be taught ; that, if the funds of the Charity should permit, the Governors appointed by the said Scheme, and their successors, should have power, from time to time, to provide for a more extensive system of education, subject to the approval of the Lord Chancellor ; that part of the daily instruction should consist in reading the Holy Scriptures, without note or comment, and for that purpose the scholars should, during an hour each day, be placed in two separate rooms, the Protestants in one room and the Roman Catholics in another, and that while there the Protestants should read the Holy Scriptures without any restriction, and the Roman Catholics should read such portions of the Holy Scriptures as were contained in four small volumes, supplied by authority under the title of " Scripture Lessons," and read in the National Schools :

And whereas, in accordance with the provisions of the said Scheme, the Governors acquired the site in the City of Limerick which is described in the First Schedule hereto, and erected thereon, at a cost of £3,940, School buildings intended to accommodate four hundred pupils, and in the year 1844 a School was established therein, under the name of Leamy's Free School ; and the said School was carried on for upwards of twenty years, but the attendance of pupils was always small, and the School was ultimately closed, and remained closed for several years before 1874 :

And whereas, by a further Scheme approved by the Lord Chancellor of Ireland on July 4, 1874, provision was made for re-opening the said School, and for the payment of salaries and capitation fees to the teachers in the said School ; and it was also provided that, in addition to the subjects of instruction mentioned in the former Scheme, instruction should be given in the School in Elementary Drawing, the Elements of Chemistry, the Elements of Mechanics, the Elements of Natural Science as applied to the Arts, French, and other subjects to fit boys for employment in trading, mercantile and manufacturing pursuits.

And whereas the said School was re-opened soon after the date of the last mentioned Scheme, and has since continued in operation, and has been maintained at the expense of the funds of the Charity, but the said School has been and is attended almost exclusively by Protestant pupils, chiefly of the middle class, and the total number of pupils has not at any time exceeded one hundred or thereabouts, and the funds of the Charity have not been and are not wholly applied to the Education of the Poor, as directed by the Founder of the Charity :

And whereas the property applicable for the purposes aforesaid, besides the School premises described in the First Schedule hereto, is now represented by the property, funds, and securities described in the Second Schedule hereto :

And whereas the above-mentioned School premises and other property applicable to the purposes aforesaid, now constitute Educational Endowments within the meaning of the Educational Endowments (Ireland) Act, 1885, and the said Act applies to the same :

And whereas it has appeared to the Commissioners under the said Act, after due inquiry, that in order to extend the usefulness of the said Endowments, provision should be made for the future government and management thereof, in manner hereinafter appearing :

Therefore, from and after the date of this Scheme, being the day upon which the Lord Lieutenant shall by Order in Council declare his approbation hereof, the said Endowments shall be held, governed, managed, and applied for the purposes, with the powers, under the conditions and provisions, and in the manner hereinafter set forth, and not otherwise, any previous Act of Parliament, Letters Patent, Statute, Charter, Scheme, Order, Deed, Instrument, Trust, or Direction, relating to the subject-matter of this Scheme, to the contrary notwithstanding.

Preliminary.

1. For the purposes of this Scheme, unless the context otherwise requires, the following terms shall be interpreted as follows :

"The Act" shall mean the Educational Endowments (Ireland) Act, 1885.

"The Commissioners" shall mean the Commissioners of Education in Ireland, incorporated under the Act, 53 Geo. III., cap. 107, as duly constituted for the time being.

"The School Premises" shall mean the site, buildings, and premises described in the First Schedule hereto, situate at Hartstonge Street, in the City of Limerick, and known by the name of Leamy's Free School, and all the estate and interest therein now held in trust for the purposes of the said School.

"The Endowments" shall mean and include all the School premises, property, funds, and securities described in the First and Second Schedules hereto, and all other the property, real and personal, at the date of this Scheme vested in or held by the existing Governors of Leamy's Free School, or by the Accountant-General of the High Court of Justice in Ireland, or by any other person or persons, upon or for the educational and charitable trusts or purposes declared by the hereinbefore recited Will of William Leamy, or by the hereinbefore recited Chancery Schemes, with respect to the residue of the property of the said Testator.

"The Protestant Board" shall mean the Leamy Protestant Board of Education, Limerick, hereby incorporated for the administration of the Protestant share of the Endowments.

"The Roman Catholic Board" shall mean the Leamy Roman Catholic Board of Education, Limerick, hereby incorporated for the administration of the Roman Catholic share of the Endowments.

"Elementary Education" shall mean such education as may be given in the Schools aided by grants from the Commissioners of National Education in Ireland, herein referred to as "National Schools."

"Technical Education" shall mean and include all technical instruction and manual instruction within the meaning of the Technical Instruction Act, 1889, and all other theoretical and practical instruction and training which may directly tend to prepare young persons for any industry, trade, handicraft, or mercantile manufacturing or commercial employment.

"Intermediate Education" shall mean education in such subjects as may be included in the Programme of Examinations held by the Intermediate Education Board for Ireland.

The Boards of Education.

2. From and after the date of this Scheme a Protestant Board and a Roman Catholic Board shall be formed for the administration of the Protestant and Roman Catholic shares respectively of the Endowments. The said Boards shall be designated, respectively, "The Leamy Protestant Board of Education, Limerick," and "The Leamy Roman Catholic Board of Education, Limerick," and shall be constituted as hereinafter provided.

Incorporation and Designation of Boards.

Each of the said Boards shall constitute a Body Corporate, with perpetual succession and a common seal, and power to acquire and hold property, real and personal, for the purposes of this Scheme.

The Protestant Board.

3. The Protestant Board shall consist of the *ex-officio* members and the co-opted members hereinafter mentioned.

The Protestant Board.

The *ex-officio* members shall be the Bishop of Limerick, the Dean of Limerick, and the Archdeacon of Limerick, duly appointed in accordance with the constitution of the Church formerly established by law, and referred to in the Irish Church Act, 1869, as the Church of Ireland; and the Minister, or the senior Minister, if there be more than one, of each and every other Protestant denomination having a fixed place of public worship in the City of Limerick, and having not less than five pupils upon the roll of any School managed maintained or aided by the Protestant Board, under the provisions of this Scheme; all for the time being.

There shall be five co-opted members, each of whom shall be a Protestant layman, and shall be resident in the City of Limerick, or within five miles from the nearest boundary of the said City.

The first co-opted members shall be such and so many of the Protestant members of the existing Governing Body of Leamy's Free School, as at the date of this Scheme shall be qualified, able, and willing to act as members of the Protestant Board. If the number of such members shall exceed five, no vacancy shall be filled until the number shall be reduced below five. If the number shall be less than five, the members of the Protestant Board present at a meeting to be duly convened and held within three months after the date of this Scheme, shall co-opt so many qualified persons as will raise the number of the co-opted members to five.

The Roman Catholic Board.

4. The Roman Catholic Board shall consist of the *ex-officio* members and the co-opted members hereinafter mentioned.

The Roman Catholic Board.

The *ex-officio* members shall be the Roman Catholic Bishop of Limerick, the Roman Catholic Parish Priest or Administrator of the Parish of St. Michael, Limerick, the Roman Catholic Parish Priest or Administrator of the Parish of St. John, Limerick, and the Roman Catholic Parish Priest or Administrator of the Parish of St. Munchin, Limerick; all for the time being.

There shall be three co-opted members, each of whom shall be a Roman Catholic layman, and shall be resident in the City of Limerick, or within five miles from the nearest boundary of the said City.

The first co-opted members shall be such and so many of the following persons as at the date of this Scheme shall be qualified, able, and willing to act as members of the Roman Catholic Board:—

1. James O'Shaughnessy, Esq., M.D., Limerick.
2. James Quin, Esq., Limerick.
3. Alderman Jerome Counihan, Limerick.

Vacancies among Co-opted Members.

Vacancies.

5. If at the date of this Scheme any of the first co-opted members above mentioned shall not be qualified or shall be unable or unwilling to act, and whenever thereafter any co-opted member of the Protestant Board or of the Roman Catholic Board, respectively, shall die, or resign by writing under his hand, or become bankrupt, or refuse to act, or become incapable of acting, or shall cease to be qualified as hereinbefore provided, or shall fail to attend at the least one-fourth of the meetings of the Board held in any one year, his office shall thereupon become vacant, and the fact of the vacancy, with the cause thereof, shall be recorded in the minutes of the Board upon which the vacancy shall occur; and, as soon as conveniently may be after the occurrence of each vacancy, the remaining members of the said Board shall co-opt a qualified person to fill the same.

Vesting and Transfer of the Endowments.

*Vesting and
Transfer of the
Endowments.*

6. From and after the date of this Scheme, the Endowments, and all other property, real and personal, belonging to or held in trust for the purposes of this Scheme, or any of them, with all powers, rights, and remedies for the recovery thereof (except such parts of the Endowments as may be then standing in the name of the Accountant-General of the High Court of Justice in Ireland), shall, without any new conveyance or instrument, become and be vested in the Commissioners, and shall thenceforth be held by them and their successors for ever, upon and for the trusts and purposes of this Scheme; subject to the conditions and provisions herein contained, and to all or any rents, charges, rights, tenancies, easements, or liabilities at the date of this Scheme lawfully affecting the same. From and after the date of this Scheme, all rents, rentcharges, dividends, interest, and other income, due or accruing, and all other property, real and personal, held by any person or persons (other than the said Accountant-General), in trust for or applicable to all or any of the purposes of this Scheme (except as aforesaid) shall, without any new conveyance or instrument, be delivered, transferred, and paid by the person or persons possessed thereof, or bound to pay the same, to the Commissioners; and the receipt of the Commissioners for any delivery, transfer, or payment hereby directed, shall be a good discharge for the person or persons making the same, and he or they shall not be answerable for the application thereof.

From and after the date of this Scheme, all such parts of the Endowments as shall be then standing in the name of the Accountant-General of the High Court of Justice in Ireland shall, subject to the orders of the said High Court, be held for the purposes of this Scheme, and the dividends, interest, and income thereof, subject as aforesaid, shall be payable to the Commissioners, who shall in the first instance pay thereout all proper and necessary outgoings and expenses payable by them in respect of the Endowments, and shall pay the residue of the said income to the Protestant Board and the Roman Catholic Board in the shares hereinafter specified, to be applied by the said Boards respectively as hereby directed.

At any time after the date of this Scheme, the Commissioners may apply to the High Court of Justice in Ireland for an order that the said Accountant-General shall transfer or pay to the Commissioners all or any parts of the Endowments which shall be then standing in the name of the said Accountant-General, and may accept a transfer thereof accordingly. From and after such transfer, the Commissioners shall hold the portions of the Endowments so transferred to them, after payment of the necessary expenses of the transfer, upon the trusts and for the purposes hereinafter mentioned, and the Endowments, and the interest, dividends, and income thereof, shall thenceforth be paid and applied

by the Commissioners upon the trusts and for the purposes, and in accordance with the conditions and provisions, of this Scheme. From and after such transfer, the hereinbefore recited Chancery Schemes, and all or any other Orders of the said High Court theretofore affecting the Endowments, so far as the same may be superseded by or inconsistent with the provisions of this Scheme, shall cease to have effect.

Provisions as to the School Premises.

7. For the period of six calendar months after the date of this Scheme, but not afterwards, the Protestant Board may continue to hold, use, and occupy the School Premises, and the income of the Endowments may continue to be applied for the purposes of Leamy's Free School, by the Protestant Board, upon the same terms and in the same manner as the existing Governing Body of Leamy's Free School might have held, used, and occupied, and applied the same respectively, if this Scheme had not passed. Within the said period of six months, but not afterwards, the Roman Catholic Board may, by writing, elect to become tenants to the Commissioners of the School Premises, subject to the conditions and upon the terms that the said Board shall at all times during the tenancy keep the said premises in tenantable order and repair, and shall pay all rates and taxes and cost of insurance for the same, and that the said premises shall be used for the purposes of a School for the education of the Poor of Limerick, to be managed and maintained or aided by the said Board in accordance with the provisions of this Scheme. If the Roman Catholic Board shall elect to take the said premises as aforesaid, the Commissioners, upon the expiration of the said period of six months, shall take up the possession of the School Premises, and shall transfer the possession thereof to the Roman Catholic Board, who shall thenceforth be entitled to hold the same, free of rent, as tenants to the Commissioners, so long as they shall observe and fulfil the terms and conditions aforesaid. If the Roman Catholic Board shall take the School Premises as aforesaid, and shall afterwards, at any time, cease to observe and fulfil the terms and conditions aforesaid, or if, at any time, in the judgment of the Commissioners, pronounced after such inquiry as they shall deem sufficient, the School carried on therein shall not be efficiently conducted as a School for the education of the Poor of Limerick, in accordance with the provisions of this Scheme, or if the daily average attendance of pupils at the said School shall, for two consecutive years, fall below two hundred, or if the said Board shall not elect to take the School premises as aforesaid, or shall at any time surrender the said premises, the Commissioners shall thereupon take up the possession of the said premises, and shall thereupon and thenceforth sell or let the said premises to the best advantage, and shall receive and apply the proceeds thereof as part of the Roman Catholic share of the Endowments, to be administered in accordance with the provisions of this Scheme.

The School Premises.

8. If the Roman Catholic Board shall not elect to take the School Premises as hereinbefore provided, or if the Commissioners shall afterwards take up the possession of the said premises from the said Board, and if the Commissioners shall sell or let the same as hereinbefore provided, the Commissioners shall from time to time pay the net income, arising from the proceeds of such sale or letting, after all proper and necessary outgoings, to the said Board, to be by them and their successors held and applied in accordance with the provisions of this Scheme; and all or any part of the net capital of such proceeds, after all proper and necessary outgoings, may, with the sanction of the Commissioners, be expended and applied by the Roman Catholic Board as a Building Fund, subject to the like conditions as are hereinafter prescribed with respect to the Building Fund hereinafter provided for the Protestant Board.

Proceeds of Sale or Letting.

Grant of Capital and Building Fund to Protestant Board.

9. From and after the date of this Scheme a sum of Government Stock, portion of the capital of the Endowments, equivalent at the price of the day to Two Thousand Pounds, and the income thereof, as from the date of this Scheme, shall be set apart and held by the Com-

The Protestant Board.

missioners upon trust for the Protestant Board, and the Protestant Board, at any time and from time to time after the said sum shall have been so set apart, may require the Commissioners to take any proceedings necessary to obtain a transfer or payment of the said sum, if not already in their hands, and to pay or transfer the same, out of the capital of the Endowments, to the Protestant Board, to be by them and their successors held and applied in accordance with the provisions of this Scheme. The Protestant Board, with the sanction of the Commissioners, may, from time to time, or at any time, expend any part or parts of the capital sum set apart for or paid or transferred to them as aforesaid, not exceeding in all One Thousand Pounds, as a Building Fund for the purposes of a School to be conducted in accordance with the provisions of this Scheme, in acquiring a site, or in acquiring or erecting buildings, or in enlarging or improving any existing buildings, or in providing suitable residences for the teachers employed by the said Board, or in providing School furniture or appliances, so as to enable the said Board, from and after the expiration of the period of six calendar months from the date of this Scheme, to continue to carry on a School in accordance with the provisions hereof. All such expenditure shall be made upon premises in the City of Limerick, or its neighbourhood, permanently vested in the Protestant Board or in some other corporate body, or in Trustees or Lessors duly appointed in accordance with the Rules and Regulations of the Commissioners of National Education relating to Vested National Schools, and all such expenditure shall be accounted for by the Protestant Board. Subject to any expenditure made as aforesaid, the residue of the above-mentioned capital sum, and all income thereof, shall be paid to or received by the Protestant Board, and applied for the purposes of the said Board as herein provided.

Apportionment of Income.

Annual Grants.

10. From and after the setting apart transfer payment and application of the sums hereinbefore mentioned, and in the meantime subject thereto, the Commissioners, after payment of all proper and necessary outgoings and expenses payable by them in respect of the Endowments, including the payments to the existing Teachers of Leamy's Free School hereinafter mentioned, and any rent payable for the School Premises, shall half-yearly pay the net annual income and produce of the residue of the Endowments (other than the proceeds of any sale or letting of the School premises) to the Protestant Board and the Roman Catholic Board respectively, in the proportions following, that is to say, one equal fourth part thereof to the Protestant Board and three equal fourth parts thereof to the Roman Catholic Board, to be by the said Boards respectively applied in the manner and subject to the conditions herein prescribed, and the proceeds of any sale or letting of the School premises shall be applied for the purposes of the Roman Catholic Board as hereinbefore provided, in addition to the three equal fourth parts of the net income aforesaid.

Trusts of the Endowments.

Trusts of the Endowments.

11. From and after the date of this Scheme, and subject to the conditions and provisions herein contained, the Endowments shall be held upon trust for the promotion of the Education of the Poor in the City of Limerick and its neighbourhood, including Elementary Education and instruction in such extra or optional subjects taught in National Schools, together with such branches of Technical and Intermediate Education, as the several Boards shall, from time to time, consider best suited to the wants and capacities of the Protestant Poor and the Roman Catholic Poor of Limerick respectively.

Application of the Endowments.

Application of the Endowments.

12. Subject to the other provisions of this Scheme, the Protestant Board and the Roman Catholic Board, respectively, shall apply all moneys received by them out of the Endowments, for the benefit of one or more Schools available for the Elementary, Technical, or Intermediate Education of poor pupils in the City of Limerick or its neighbourhood, for the following

purposes, or for such and so many of them as the Board shall from time to time deem expedient:—

(a.) To maintain the buildings, furniture, appliances, and premises, of the School or Schools which each Board shall manage maintain or aid under this Scheme, in good order and condition, and to make such additions thereto, and such improvements therein, as may be required from time to time.

(b.) To pay any rents, other than the rents of the existing School Premises payable by the Commissioners, and all taxes, cost of insurance, and other charges necessarily or properly payable out of or for the premises of such School or Schools as aforesaid, and to defray the necessary working expenses and the cost of management.

(c.) To employ and pay such teachers as the Board may deem it expedient to engage for the instruction of the pupils in such School or Schools as aforesaid; also to supplement the salaries or emoluments of any teachers or monitors who may be entitled to any salary or emolument from the Commissioners of National Education, or from any other source.

(d.) To provide, from time to time, as far as the Endowments will allow, special teachers for such School or Schools as aforesaid, in subjects of Technical or Intermediate Education and home industries, more especially in such subjects as practical agriculture, handicraft, and the use of tools for boys; cookery, various kinds of needlework, laundry work, and dressmaking for girls. For the purpose of giving Technical or Intermediate Instruction, each Board may make arrangements by which teachers employed by them may also visit other Schools, on stated days at fixed hours, and may give instruction to the pupils thereof, upon such terms as to contributing to the payment of the said teachers and otherwise, as the Board shall think fit.

(e.) To provide prizes for the most deserving pupils of such School or Schools as aforesaid. These prizes may be awarded in money, or in remission of School fees, or in such other manner as the Board may deem best calculated to stimulate the industry or to promote the progress of the pupils, and they may be so given as to enable and encourage deserving and capable pupils, who require such assistance, to continue their education longer than they could otherwise do, or to obtain special or more advanced education.

(f.) To defray any other expenses incurred in carrying out the purposes of this Scheme.

Additional Endowments.

13. Each of the Boards may collect, receive, acquire and hold donations, subscriptions, devises, bequests, and other additional endowments, real and personal, and may apply the same for the purposes of this Scheme. They may also collect, receive, acquire, and hold donations, subscriptions, devises, bequests, and other endowments, real or personal, and may apply the same for any object connected with the purposes of this Scheme which shall not be inconsistent with, or calculated to impede the efficient working of the provisions hereof. All properties and moneys so received or applied shall be included in the accounts to be kept by the respective Boards under this Scheme. Each of the Boards, from time to time, if it shall think fit, may provide for the representation upon the Board of Subscribers to the funds of the Board, and for the election of additional members of the Board by such subscribers, in such manner and subject to such conditions as the Board may from time to time think expedient.

Donations and
Subscriptions.

14. Each of the Boards may make all arrangements from time to time necessary to enable them to obtain from the Intermediate Education Board, from the Commissioners of National Education, from the Science and Art Department, from the Commissioners of Public Works, from any local authority, or from any other public body, or under any Statute, any aid, by way of teachers salaries, results fees, prizes, grants or loans for building or other purposes, or provision for Technical or other special Education, which

Aid from Public
Sources.

may at any time be available for any School receiving benefit from the Endowments; and, notwithstanding anything herein contained, they may place any such School, or any of the classes or pupils thereof, in connection with or under the inspection of any such public body as aforesaid, and they may comply with any rules or regulations, as to additional Governors or otherwise, for the time being in force respecting schools, classes or pupils receiving such aid. All money and other aid which either Board may so receive shall, subject to such rules and regulations, be applied by them in conformity with the provisions of this Scheme, and shall be accounted for accordingly.

School Fees.

15. Each of the Boards may from time to time authorize the charge of such school fees for instruction in the School or Schools maintained or aided by them as they may think reasonable, provided that, so far as the Endowments will allow, the Boards shall permit poor pupils resident in or near the City of Limerick to receive Education in such School or Schools as aforesaid, at reduced fees or free of charge, if the Board be satisfied that they are unable to pay the ordinary fees.

General Provisions as to the Boards of Education.

Chairman, Quorum, and Honorary Officers.

16. The Protestant Bishop of Limerick shall be *ex-officio* the Chairman of the Protestant Board, and the Roman Catholic Bishop of Limerick shall be *ex-officio* the Chairman of the Roman Catholic Board. Each Board shall appoint a Vice-Chairman at their first meeting after the date of this Scheme, and at their first meeting in each calendar year thereafter. Each Vice-Chairman so elected shall hold office until the election of his successor, and shall be eligible for re-election. The Chairman shall preside at every meeting of the Board at which he is present; in the absence of the Chairman, the Vice-Chairman shall preside; and in the absence of both, the members present shall elect one of their number to act as Chairman for the occasion. Three members shall constitute a *quorum* of each Board, and all matters and questions shall be determined by the majority of the members present; in every case of equality of votes the Chairman of the meeting shall have a second or casting vote. Each Board may from time to time appoint an Honorary Secretary and such other Honorary Officers as they shall think fit, and may define the duties of such Honorary Officers.

Meetings.

17. Each Board shall hold its first meeting within two calendar months after the date of this Scheme, at a time and place to be fixed by requisition of a majority of the members for the time being, and shall meet once at the least in every three months thereafter, at a time and place in the City of Limerick to be appointed by the Board, and may also meet at such other times and places as may from time to time be appointed by the Board. Notice of every meeting shall be given to each member three clear days, or such other time as the Board may direct, before the meeting. The Chairman, Vice-Chairman, or any three other members of either Board, may at any time summon a special meeting of the Board, giving notice to each member six clear days, or such other time as the Board may direct, before the meeting, and specifying in the notice the object thereof. Every meeting may adjourn for the completion of its business to such time and place as the members present may appoint.

Minutes, Books, and Documents.

18. Every member of each Board shall, at or before the first meeting which he attends, sign a declaration, in a book to be kept for the purpose, of his acceptance of the office of member, and until he has signed such declaration he shall not be entitled to act as a member. Minute books shall be kept by each Board in which minutes of all its proceedings shall be duly entered. All deeds and other writings of either Board, sealed with the common seal, and signed at any meeting by the Chairman of the meeting and two other Members, shall be held to be validly executed on the part of the Board.

By-Laws and Regulations.

19. Each Board may from time to time make such by-laws and regulations as it shall consider convenient and needful for giving effect to the purposes

of this Scheme, provided that such by-laws and regulations shall not be inconsistent with the provisions of this Scheme, and that the same may be repealed, altered, and amended by the Board as it shall deem expedient.

20. Each Board shall cause to be kept a regular account of all its receipts and disbursements, in such manner and form as may, from time to time, be prescribed or approved by the Local Government Board; and the accounts for each year, ending the thirty-first day of December or such other day as the Local Government Board may direct, or an abstract thereof, in such form as the Local Government Board shall prescribe or approve, shall be submitted for audit on or before the first day of March following, or such other day as the Local Government Board may appoint, to an auditor of the Local Government Board, or to some other competent authority appointed or approved by the Local Government Board. The Local Government Board may fix, and each Board shall pay, such reasonable sum or sums as shall be necessary to defray the cost of audit. Each Board shall keep an account with such Bank as it shall from time to time select, and all moneys receivable or payable by either Board (except petty cash), shall be lodged to or drawn from such account, and every cheque shall be signed by two members at the least thereto authorized.

Accounts and
Audit.

21. If and whenever an Inspector shall be appointed by the Lord Lieutenant, under the Act, Section 17, he shall inspect the Schools sharing in the Endowments, and shall present his report thereon to the Lord Lieutenant, once at the least in each year, and as much oftener as the Lord Lieutenant may direct; and the remuneration of such Inspector, as fixed by the Lord Lieutenant, shall be defrayed by the Board as the Lord Lieutenant may direct. Unless and until the Lord Lieutenant shall appoint an Inspector of the Schools sharing in the Endowments, any Inspector from time to time appointed by the Commissioners of National Education to inspect any of the said Schools which may be a National School, shall be deemed to be an Inspector appointed by the Lord Lieutenant under the Act; and the reports of every such Inspector shall be presented by the Board to the Lord Lieutenant, but no such Inspector shall be entitled as such to any remuneration in addition to the remuneration which he may be otherwise entitled to receive.

Inspection.

22. Each Board may from time to time appoint a Committee or Committees, each consisting of two or more members of the Board, to carry into execution any orders rules or directions of the Board with respect to the purposes of this Scheme, or to manage such business as the Board may deem it expedient to delegate to a Committee. The Board appointing each Committee may fix the quorum, define the duties, and regulate the proceedings of the Committee, as it shall think fit.

Committees.

Management of Property.

23. Each Board shall, from time to time, make such arrangements as it may deem expedient for the custody of the common seal, and of all deeds and documents belonging to the Board, for the management of the property vested in it, and for the employment of such officers as it shall find it necessary to employ. Each Board, with the consent of the Commissioners, may sell, exchange, let for any term, mortgage, or otherwise dispose of, all or any lands or buildings which may be vested in it, so that every such dealing shall be carried out to the best advantage, and that all money obtained thereon, other than current rents, shall be treated as part of the capital of the Endowments, and shall be vested or otherwise disposed of in accordance with the provisions hereof. The Commissioners and each Board may from time to time invest the capital of the Endowments belonging to or vested in them respectively, and any moneys arising from any sale, or received for equality of exchange of land or buildings, and also any residue of income not required in any year for the purposes of this Scheme, and also any subscriptions or other moneys received under this Scheme, in any of the public stocks, funds, or securities of the United Kingdom, or of any Colony or Dependency thereof; or in the stock of the Bank of England or of the Bank

Management,
Sale, Letting, and
Investment.

of Ireland; or upon freehold or leasehold securities, or in the purchase of perpetual rents or rentcharges, in the United Kingdom; or upon the debentures or mortgages of any municipal, commercial, or other Joint Stock Company or Corporation, carrying on business or constituted for any purpose in the United Kingdom, or in any Colony or Dependency thereof; or in any securities sanctioned by law, or by the practice of the High Court of Justice, for the investment of trust funds. The Commissioners and each Board, respectively, may from time to time vary such investments, and may have recourse in any year to the accumulations of income of any previous year or years, and may retain in their existing state of investment, so long as they shall think fit, all or any securities which may from time to time be received by them for the purposes of this Scheme, if the retention of such securities does not involve any liability capable of affecting their other property.

Provision as to the Existing Teachers.

*Allowances to
existing Teachers.*

24. For the period of six calendar months from and after the date of this Scheme, each of the Teachers of Leamy's Free School, named in the Third Schedule hereto, who shall continue to be employed in the said School, or by the Protestant Board, shall continue to be entitled to receive the same salary and emoluments out of the Endowments, which were payable to him or her out of the Endowments at the date of the passing of the Act, provided he or she shall continue to discharge, for the Protestant Board, the same duties which he or she would have been bound to perform for the existing Governing Body of Leamy's Free School if this Scheme had not passed, or like duties. From and after the expiration of the period aforesaid, if and so long as any of the said Teachers shall be employed by the Protestant Board in a School managed maintained or aided by the said Board in accordance with the provisions of this Scheme, the said Board shall be entitled to receive from the Commissioners, out of the income of the Endowments, towards payment of the salary of each such Teacher while so employed, a sum equal in amount to one-thirtieth part of the amount of the salary payable to him or her out of the Endowments at the date of the passing of the Act, for each completed year during which he or she shall have held his or her office at the date of this Scheme, calculated according to the date and amount stated in the Third Schedule hereto. If at any time after the date of this Scheme, any of the said Teachers shall cease or fail to be employed by the Protestant Board in a School managed maintained or aided by the said Board in accordance with the provisions of this Scheme, from any cause other than voluntary resignation or removal for incompetence misconduct or wilful neglect, he or she, upon such discontinuance of his or her employment, shall be entitled to receive from the Commissioners, by way of compensation for his or her vested interest, out of the capital of the Endowments, the amount of One Year's Salary at the rate stated in the Third Schedule hereto, for each completed period of seven years during which he or she shall have held his or her office at the date of such discontinuance of his or her employment, such payments to be calculated according to the several and respective dates and amounts stated in the Third Schedule hereto.

Payment of Expenses.

*Payment of
Expenses.*

25. The Commissioners, the Protestant Board, and the Roman Catholic Board, respectively, shall, subject to the other provisions of this Scheme, pay out of the Endowments all charges, which, under the provisions of the Act, shall be properly and necessarily payable by the Commissioners and by the said Boards respectively, for the taxed costs and expenses of this Scheme or for audit and inspection, or for other purposes.

Discharge of existing Trustees.

*Discharge of
existing Trustees.*

26. Immediately after the passing of this Scheme, the existing Governors under the heretofore recited Chancery Schemes shall proceed to pay and discharge out of the moneys in their hands, all the salaries, outgoings, and liabilities due or payable by them up to the date of this Scheme, including

their costs of and incident to the preparation of this Scheme (such costs, if any, to be taxed and certified by the proper officer of the High Court of Justice in Ireland), and shall prepare a final account of all their receipts and disbursements, dating from the last annual account submitted to the High Court of Justice in Ireland, and shall submit the same for audit to the Local Government Board, or to such competent authority as the said Board shall approve. Upon such audit the net cash balances remaining in the hands of the said Governors, or of their agents, treasurers or bankers, or of any other person on their account, shall be ascertained and certified, and thereupon the same and all securities held by the said Governors shall forthwith be paid or transferred to the Commissioners, to be by them held and applied for the purposes of this Scheme and accounted for accordingly. The said Governors and all or any other persons having custody thereof, shall at the same time deliver to the Commissioners all books, documents, and other chattels and effects belonging to or held by them as or for such Governors, who shall thereupon be discharged. All rents, debts, and other sums, then accruing or payable to or recoverable by the said Governors, shall thereupon and thenceforth accrue and become payable to and recoverable by the Commissioners, and all contracts and liabilities then binding upon the said Governors, shall thereupon and thenceforth, to the same extent and out of the same funds, become binding upon the Commissioners. The said Governors shall not be bound or required to submit for audit to the High Court of Justice in Ireland any account which shall have been duly audited under this Scheme.

Printing of Scheme.

27. The Commissioners shall cause this Scheme to be printed, or shall procure printed copies thereof, and shall keep the same for sale at a reasonable price. Printing of Scheme.

Accounts of the Commissioners of Education.

28. The Commissioners shall keep separate accounts of the Endowments held or received by them for the purposes of this Scheme, and shall and may exercise, with respect to the said Endowments, the same or like powers of investment and management which they may exercise with respect to the Royal School Endowments vested in them. Accounts of Commissioners

Alteration of Scheme.

29. This Scheme may be altered from time to time by the Commissioners of Charitable Donations and Bequests for Ireland, in any matter whatsoever, upon the application of the Commissioners or upon the joint application of the Protestant Board and the Roman Catholic Board; or, in any matter relating exclusively to the administration of any portion of the Endowments allotted to either Board, upon the application of the Board concerned; but except upon such application no alteration shall be so made, and no alteration shall be made contrary to anything contained in the Act. Alteration of Scheme.

SCHEDULES REFERRED TO IN THE FOREGOING SCHEME.

FIRST SCHEDULE.

The School Premises.

1. The Plot of Land with the School-house and other Buildings thereon situate at Hartstonge Street, in the City of Limerick, known by the name of Leamy's Free School.

2. All fixtures, furniture, chattels, and effects, in and belonging to the said School at the date of this Scheme.

SECOND SCHEDULE.

Monies, Funds, and Securities comprised in the Endowments.

1. A sum of £10,413 3s. 8d., Government Stock, now standing in the Books of the Governor and Company of the Bank of Ireland, in the name of the Accountant-General of the High Court of Justice in Ireland, to the credit of the matter of the Right Hon. Attorney-General v. Francis Alex. FitzGerald.

2. All such sums of stock or cash as, at the date of this Scheme, may be in the hands of the said Accountant-General, and standing to the credit of the same matter.

3. All interest and dividends due and accruing upon the said sum of stock at the date of this Scheme.

4. All or any other moneys, funds, or securities belonging to the Endowments, or held by the existing Trustees of Leamy's Free School at the date of this Scheme.

THIRD SCHEDULE—EXISTING TEACHERS.

<i>Names.</i>	<i>Office held at the date of the passing of the Act.</i>	<i>Annual Salary at date of the Act.</i>	<i>Date of Appointment.</i>
PART I.		£ s. d.	
William Wilson Mercer, . . .	Head Master, . . .	100 0 0	July 16, 1884.
Samuel Moore, . . .	Assistant Master, . . .	40 0 0	February 4, 1885.
Miss Mary Mercer, . . .	Head Mistress, . . .	50 0 0	January 7, 1880.
Miss Margaret Harrold, . . .	Assistant Mistress, . . .	36 0 0	August 7, 1875.
Miss Elizabeth Croston, . . .	Do., . . .	15 0 0	April 1, 1882.

We, the Judicial Commissioners constituted under the Educational Endowments (Ireland) Act, 1883, having duly prepared the foregoing Scheme, hereby submit the same for the approval of the Lord Lieutenant in Council under the said Act, duly signed by both of us under our hands, this Thirty-first day of July, 1893.

GERALD FITZGIBBON, } *Judicial*
WILLIAM O'BRIEN, } *Commissioners*

Witness;

FREDK REDMOND,

Acting-Secretary.